THE

HISTORY

Hursphry OF Orms. 4:

Col. PARKE's Administration

Whilst he was Captain-General and Chief
Governor of the

LEEWARD ISLANDS;

With an

ACCOUNT

OF THE

Rebellion in Antegoa:

Wherein he, with several others, were murther'd on the 7th of December, 1710.

By Mr. GEORGE FRENCH.

quid Virtus & quid sapientia possit, Utile proposuit nobis Exemplar.

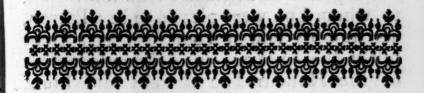
Hor.

For the out-number'd, overthrown, And by the Fate of War run down, His Duty never was defeated, Nor from his Oaths and Faith retreated.

Hudibras.

LONDON Printed, and fold by the Bookfellers of London and Westminster. MDCCXVII. (Price 5 s.

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TO

His GRACE

THE

Duke of MARLBOROUGH.

My LORD,



AM fensible, that to address Your Grace in a Manner suitable to Your Great Worth and Excellency, is a Task superior to the most sprightly

Genius and enlarg'd Capacity: The Field is so Spacious, that I am lost in Admiration of those Virtues I find impossible sufficiently to applaud.

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But

But as the following Pages contain a History of a Gentleman's Administration, to whom You were pleas'd to be a Patron, 'tis humbly laid at Your Feet as a Debt justly due to You, in Acknowledgment of the Honour You thereby did him; which, (however he might have been misrepresented) 'tis hop'd, will satisfy Your Grace, he neither abus'd your Fa-

vour, nor was unworthy of it.

Great Souls, like Your Lordship's, have, in all Ages, thought it their Glory to be Defenders, as well as Supporters of distress'd Innocence, and Suppressors of Factions and Rebellion. The World is already so full of the many Great and Heroic Actions of this Nature, (perform'd by Your Grace) that 'twould be a vain Endeavour, here, to relate how much You have surpass'd all the Examples of former Times, and how inimitable Yours will appear to be, to Posterity throughout future Generations.

Your Laurels, my Lord, are Proof against the Blasts of Malice, and only envy'd because not to be parallell'd. The Ingratitude of late Times, serving as the Shades in fine Pictures, to enliven the Beauties, the more conspicuously to adorn the Hero, whose Memory will be deservedly Glorious and Immortal.

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So much Goodness and Generous Compassion for the Distresses and Missortunes of all, so peculiar to Your Grace's Temper, could only prevail with me to attempt a Dedication to Your Lordship, being Conscious of my Great Inequality to the just Performance; but am encourag'd by that, to petition for Your Grace's Acceptance and Protection of this Book, in Regard to the Design and Subject treated of: 'Tis this, only, can put it out of the Reach of its Enemies, and secure it from the Stings of Ill-Nature.

One Happiness always attends such as endeavour at Your Grace's Character, That they are out of the Imputation of Flattery; Justice gives them a full Latitude to say, whatever Greatness and Magnanimity can suggest to them; and all, hitherto, have made but a feint Resemblance of the Original: How then can it be better compremis'd, than in the Mention of MARLBOROUGH; wherein is express'd the Greatest General in the Field, the Wisest Counsellor in the Cabinet, the Best Patriot in the Senate, and the Best Subject in the Commonwealth.

That Your Grace may long enjoy the Comforts and Prosperity of this Life, to compensate for the many Years of Troublesome Fatigues You have spent in the Service of your Prince and Country, the

A 3 greatest

The DEDICATION.

greatest Benefit that can possibly accrue to either, is the hearty Prayer of,

May it please Tour Grace,

Your Grace's

Most Humble, and

Most Obedient Servant,

GEO. FRENCH.



Service of your limber on London very the

Trained of



THE

PREFACE.

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HERE is hardly an Instance in History, of a more barbarous Action, considering it in all its Circumstances, than the Murther of Col. Parke, in the Re-

bellion in Antegoa, which you are now to have an Account of: Nor, perhaps, was ever any Thing so generally talk'd of, on so groundless and impersed Relations of it; or fusive more unaccountably evaded by the Perpetrators of so flagrant and high a Crime.

As therefore that Affair has been hitherto industriously represented in a wrong Light, and the Truth obscur'd by the false Insinuations of the Parties concern'd, it's thought necessary, in Justice to Col. Parke's Memory, to publish this History of the Rise and Progress of the Factions which broke out in Repeated.

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bellion, and ended in that unfortunate Gen-

tleman's fatal Catastrophe.

The Matter of Fact being supported by a vast Number of Depositions and Minutes of Council from the Leeward Mands lode'd in the Secretaries of State, and other publick Offices bere, together with several original Papers transmitted from thence under the Seal of those Islands, will ('tis bop'd) meet with a superior Credit to that which is deliver'd by the Actors of that Cruelty, and their Agents; who would palliate the Wickedness, by casting an Odium and Slanders on this Gentleman: Unbappy enough, in that his Lot fell among People of such turbulent Spirits and loofe Principles, without the additional Sufferance of his Reputation, by their vigorous Efforts, to incite a general Belief, that the highest Provocations and repeated Infringements on their Liberties, burry'd them on to that Action.

But by how much Reputation is dearer to, and of more Account, with a Man of Honour, than Life, so much more unhappy was Col. Parke made, in being deprived of the one, before he had an Opportunity of clearing the other: And so much have his Enemies aggravated their Guilt, by murthering his good Name, after they had personally butcher'd him. Their Malice appeared to the World artfully wrought up, in a Hearing of their Complaints before the late Queen in Council,

cil, without his Defence, which was referr'd to another Day: In the Interim, an Account of his Death arriving, his intended Justification was bury'd with him; and they did not fail to improve that, his greatest Misfortune, to their Advantage.

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74 il, This unlucky Incident, together with the Readiness of Peoples passing their Judgments, ex-parte, and making free with Mens Characters, tho' with little or no Knowledge of them, much contributed to the general Acceptation of the Calumnies thrown upon him. And so subtle, indeed, is the poysonous Quality of Detraction, that it soon diffus'd it self into the whole Mass, and became a Distemper almost Epidemical. We see scurrilous Reports once rais'd, without the least Regard to Truth or Probability, gain more Credit than the most irrefragable Truths: And such is the general Inclination to believe ill rather than well of Persons of what Distinction or Degree soever, that no small Pains and Industry is requir'd to undeceive even those who, in other Respects, seem to make Reason impartially the Rule of their Concessions.

To give Room for which Manner of Procedure, and lest this might seem an Endeavour of ensnaring the Reader into the Error so much here complain'd of, viz. the taking Things upon bare Hearfay, there are added the Articles of Complaint at large,

with his and the Council of that Island's Answers to each of them respectively; the whole Proceedings at large of a General Council beld at St. Christopher's, very necessary for the rightly comprehending, as well the Occasion of the Difference of those People with the General, as the Nature of that Government; and some other Papers intended to have been made Use of in the Defence, which was design'd should have appear'd in Publick long fince, as it has been a great while ready for the Press; but the Crown's Prosecution, on this Occasion, having spun out to so great a Length, and but of late wholly brought to a Conclusion, it was not thought a proper Time for the Publication of this, until that were at an End, lest any Thing should appear in it that might be constru'd either to interfere with, or arraign the Measures of the Crown on so extraordinary an Occasion; which there is so much Care taken to avoid, that a brief Account only of Henry Smyth's (one of the Criminals) Tryal is given the Reader, for his Satisfaction, without any Reflections; but left entirely to his own Judgment and Observation.

What Reception a generous Attempt to rescue oppress'd Innocence and Loyalty, may meet with from this ungrateful Age, the Author is not for his own Sake very sollicitous about; nor will he make any other Apology for the Undertaking, than an Assurance

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rance to the Publick, that neither Favour nor Affection has led him out of the Path of Truth, having had no other Inducement to it besides that of doing Justice, where there is an Incapacity of repelling the Injury; which to a Lover of Truth, nothing can be more grateful, or more worthy a Man of Honour's Pains.

If traducing the Actions of the Dead be in its Nature the basest of Crimes; and that to be filent where nothing can be faid to their Advantage, is far more generous, as well as charitable, as very few will dispute, but readily grant, how shocking must it be to see them daily murther'd afresh by unjust and false Aspersions? And as the present Performance endeavours to strike at the Root of this great Evil in general, as well as the particular Vindication of Col. Parke, one Favour is requested; which is, that the Reader will go thro' the Sheets with Attention, and without Prejudice resolve to make Use of his Reason; then, 'tis hop'd, he may both conceive a just Abborrence of the scandalous, tho' too fashionable Practice, of Slandering, and be of Opinion, that Col. Parke was a good Governor, and bravely lost his Life in Defence of the Prerogative of the Crown, with which he was intrusted, and for endeavouring to promote that common fusice and Equity with which that Government had been so long, and still continues to be almost unacquainted. The

The bonest Meaning, which the Author is conscious of having truly deliver'd, and the Compassion it may raise in the Reader, is, in some Measure, to make Amends for the Want of those masterly Strokes and Flourishes he would meet with in a Work of this Nature, by the polite Writers of these Times; but such Arts, however entertaining they may be, are rather necessary to prop and adorn a Structure not rais'd on the solid everlasting Foundation of Truth, than to embellish a Cause, by that supported and defended.

That nothing may appear to have been impos'd on the Reader's Belief, without Authority for it, there is added An Appendix, containing authentick Depositions and Records to prove the most material Fasts throughout this Book: And as it is thereby swell'd beyond the Author's first Intention, it must unavoidably be somewhat dearer than he could have wish'd it were; but hopes the additional Satisfaction that must proceed from those Testimonies of Gentlemen, whose Reputation gives a Sanstion to their Evidence, will be at least in Proportion to the Expence, and atone for that Inconvenience.

Notwithstanding all the Care taken to avoid it, some Faults of the Press have escap'd, and are remark'd in the Errata, which the Reader is intreated to correct with his Pen

as he goes on.



THE

HISTORY

Of COLONEL

PARKE'S Administration

Whilft GOVERNOR of the

Leeward Islands.



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IS Grace the Duke of Marlborough having fent Colonel Parke (his Aid de Camp) Express to the late Queen, with the first Account of the glo-

rious Victory obtain'd at the Battel of Hocstet, her Majesty receiv'd the welcome News with great Transports of Joy, at her Palace of St. James's, and was graciously pleas'd to shew him several Marks of her

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Royal

Royal Favour on that Occasion, with an Affurance that the would farther provide for him, as the Merits of his past Services, and the Messenger of such happy Tidings to the Nation, deferv'd; and accordingly he was by Letters Patent, bearing Date the 25th Day of April 1716, appointed Captain-General and Governor in Chief of Nevis, St. Christopher's, Antegoa, Mountferrat, and other the Leeward Caribbee-Islands in America; and in June following arriv'd at Antegoa.

These Islands were often, during the War, attack'd by the French: The Inhabitants of Nevis and St. Christopher's had been lately plunder'd: The Forts and Places of Defence destroy'd, and most or all of the Islands lay expos'd to any future Attempts the Enemy should make. * The General's first Care, therefore, was. to repair the Forts, and put the Islands into the best Defence they were capable of.

The particular Laws of these People, and the Proceedings in the Courts of Tustice, (which scarce deserv'd that Name) were fo defective and corrupt, that it was with no small Difficulty the greatest Crimes could ever be punish'd: The richer Sort might encroach on the Boundaries of

The Minutes of Council of those Islands prove thu Truth.

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of their poorer Neighbour, and the Oppress'd had no Hopes of Redress. Nay, a Man's murdering his own Wife escap'd without any Cenfure of the Law. He therefore more particularly apply'd himfelf to the Reformation of those Abuses. and in the Court of Equity, (which has Resemblance to the High Court of Chancery in England, and wherein the Chief Governor is always Judge) he fate as often as Bufiness requir'd, for the Vindication of Property, and deciding of Controversies between Man and Man: Where the Poor obtain'd his Right, tho the * mighty Man frown'd, and the Rich receiv'd what was their Due even from the Tears of the Needy; where Justice was To truely and indifferently administer'd, without Respect of Persons, that every Man who had any just Cause of Suit, chose (if possible) to have it determin'd in this Court; infomuch that few Matters were transacted in the other Courts, but what either Plaintiff or Defendant (if the Nature of the Cause, or any contingent Matter would admit) remov'd into this, which was a certain Refuge for the Diftrefs'd:

⁺ Thornton, a Soldier in Col. Jones's Regiment, knock'd his Wife on the Head with a Stool, was try'd, and acquitted.

^{*} Witness Codrington, ads. Lambert.

Vide, Depositions of Mr. Pember, Attorney-General, and Mr.

stress'd; and tho' great Part of the General's Time was taken up, he would take no Fee or Reward for any Process or Proceeding therein: Nor was the Improvement of the Trade and Culture of these Islands, exempt from his Care: The Sugar || Mills were greatly increas'd during his Continuance among them, and the Trade receiv'd great Advantage from his

Encouragement.

He knew he could not be a faithful Representative of his Sovereign, without doing every Thing for the Good of the People committed to his Care; and he never shew'd himself more inclin'd to do them Good, than when he most insisted on, and would have perswaded them to submit to, the just Prerogatives of the Crown; so that even in the greatest Dissibilities of this Nature, (which in Conclusion, prov'd fatal to him) it were hard to determine whether he consulted most, the Honour of his Queen, or the Good of her People.

So exact was this Gentleman in his whole Administration, that so far as it was possible for a Lord Chancellor or Chief Governor in all Causes to please

each

I There were but 27 Wind-Mills on his Arrival in Antegoa, and there were between 60 and 70 before they murder'd him.

each Party, he had entirely gain'd the Hearts of the People; and the Pleasure they conceiv'd under his Government, may be seen in their Addresses to her Majefty, from the several Islands; not Addreiles of common Form, but such as express'd their more than ordinary Satisfaction; not made barely in Submission to the Choice of her Majesty, or to flatter the new Governor upon his Arrival, before they had Knowledge of, and Acquaintance with him, but fuch as proceeded from the Observation and Experience of his Conduct among them.

As often as the Affairs of Government would permit or require, he visited the feveral Islands, but chose to make Antegoa the principal Place of his Residence; not as it was more agreeable or pleafant than some or any other of the Islands might have been; but as that Island lay more open and expos'd to the Enemy, he thought his Presence most necessary there, to answer any Emergency, it being to windward of the rest, whereby he might easily go to their Assistance; and his refiding there, was not only a greater Safety to that Island in particular, but was also attended with many other Advantages to the Inhabitants: But what' Returns these ungrateful People made Living to a bank from a distributed a stanto him.

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him, we shall anon have Occasion to mention.

It would be Matter of Astonishment to Persons unacquainted with the People of those Islands, that after the Happiness they enjoy'd and glory'd in for I two Years, under his mild and equal Administration, and the Affection they had on all Occasions express'd for him, to find them plotting and contriving his Ruin, not satisfy'd 'till they had em-bru'd their Hands in his Blood, and that with fuch Circumstances of Cruelty and Barbarity, that one would be apt to question whether they are not a different Species from the rest of Mankind, or rather whether there be any Resemblance of Humanity among them? But upon better Acquaintance, it will be Matter of greater Wonder to find them fo long eafy under any Governor: Nor did it require less Art than Virtue, to continue fo long acceptable to fuch unstable and wavering People. The flender Pretences, and finall Appearance of Reason they had for that Scene of Iniquity which in the Sequel we shall find they acted, will shew their Madness and Inconstancy. There

A longer Time than they were pleas'd with any of their formen Governors; of most of whom they complain'd, or differ'd with, in about fix Months.

There were some among them, from whom better Things might be expected, as they had better Advantages of Improvement, than the Generality of those People, whose Necessities of Vices had at first drove them to those Islands; but many of these knew by what unjust Titles they held their Estates, and that their Tenure would not bear the Test of a Court of Equity. Others became picqu'd and disaffected, because Men of more Honefty and better Judgment were not turn'd out of their Employs, to make Room for their Ambition, which by far exceeded their Abilities. The Fears of the one must continue, and the Defires of the other cannot be answer'd, while the Government remain'd in his Hands; whom no Motive could prevail on to decree any Thing in Favour of the one, against the strict Rules of Equity and Justice, or to gratify the other in any Request, which if granted, might prejudice the Publick.

Mr. Parke was too honest for these Mens Purposes, and therefore nothing must be left unattempted to remove him from them. By lying Insinuations and private Calumnies, the unwary Populace are to be whisper'd into Fears of Dangers, which were nothing but the

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Phantoms defigning Men had conjur'd up to frighten them out of their Senses, (which indeed requir'd no mighty Witchcraft) that they might be more perfectly under the Power of their Delusion: And to fuch Excess in a little Time did the Madness of the People prevail, as to divest them of all Sense of Duty and Obedience to Sovereignty; they despise and contemn the Character which he bore, and offer publick Infults and Affronts to his Person; he must give private Satisfaction for what he does in his publick Capacity; his acting in Obedience to his Sovereign's Commands, must be answer'd for at the Point of a Sword, or the * Ale-Wife's Son shall upbraid him with Cowardice for refusing his Challenge; and, as if Majesty had not suffer'd Indignity enough by fuch like Ufage, they carry their Resentments higher, they go back and rake into the Ashes of her Royal Grandfather, and opprobriously make Mention of his Misfortunes; they charge her Representative with treading in the Steps of King Charles the Ist, and threaten him with (what they term) his deferv'd Fate t. Good God! how far will

^{*} Barry Tankard.

[†] Edward Perry.

a disappointed Ambition, and the Defire of preserving what is unjustly posfess'd, carry Men? Nothing but Blood can fatisfy the Revenge of the one, or remove the Fears of the other: Nor is this sufficient, his Sufferings (if poslible) must out-live him, and reach even be-They will first murder vond the Grave. his good Name, and then take away his Life: Articles of Impeachment must be clandestinely forg'd, and fent into England to blacken and bring him into Disesteem with his Queen; tho' in Truth, the greatest Crime (if that can be accounted one) to be alledg'd against him, the Stumbling-block and Rock of Offence, was, that he infifted upon the Prerogative of the Crown, and would not basely give up and betray its Right.

It is certainly the Right of the Subjects, where any Person entrusted, abuses the Authority he is invested with, to petition and rightly inform the Prince; who, according to the Nature and Justice of such Representation, will remove and punish the Person complain'd of, for such his Male-Administration, as it is not only a Detriment to the Common-Weal, but in some sort a Reslection on the Prince whom he represents, and by whose Authority he

acts in the Station he is plac'd.

But in this Cafe, the Prince will consider the Nature of the Complaint, and the Character and Condition of the Persons complaining; perhaps the Matter coinplain'd of, is praise-worthy, and no Crime; or if a Crime, does not unqualify him for his Employ, as it does not relate to his Office; is only criminal in him as a Man, and would be the like in any other Perfon; or perhaps the Characters and Conditions of the Persons complaining, are fuch as do not merit Credit; if they are not the most honourable and considerable of the People; if they, or the leading Men among them, have been displac'd from fuch Offices and Employs, as the Person complain'd of might dispose of as he please, or if they are such as can have By-ends of any Kind whatfoever in the Downfal of the Man in Power? In fuch Cases the Prince will have just Reason to suspect their Complaints, and will demand the Opinion of those (if such there be) whose higher Stations and Honours make them more competent Judges, and demand greater Credit, and who can have no Self-Interest to come in Competition with their Regard to Truth, and the publick Good; and if thefe clear the Character of the Person complain'd of, if they approve of his Administration, and applaud his Conduct, the Prince, (who especially

especially in remoter Parts of Government must see with others Eyes) as well in Justice to his faithful Minister, as to preferve his own Authority, will discourage and discountenance the vile Attempts and Infinuations of fuch a Set of Men, actuated by Malice, Envy, Self-Interest, or any such like devilish Principle: And if the People do not acquiesce in the Determination of the Prince, and fuch Measures, whatfoever they be, as in his Wisdom he shall think fit; if they hereupon shew themfelves mutinous and difaffected, and by their Endeavours would feem to force Majesty into a Compliance to their unreasonable Demands, the Prince will have Reafon to fear their Designs tend farther, that they have fomething more in View than the Removal of his Minister, and it will be high Time to give Check to that Spirit of Rebellion, which makes its Approaches to the Throne, shelter'd and conceal'd in Petitions of Grievances, those Lights of Discontent, and dark Lanterns of Rebellion.

But let us now see how this comes up to the particular Case before us, and first let us enquire into the Method of framing their Articles; this was to be perform'd with all the Privacy imaginable, and none to be admitted into the Knowledge of what was doing, without an Oath * of Secrecy, least the General should have Notice of the Articles, and make too great a Defence; the Slander that was intended like a secret Poison, was to work incurable Effects, before it was discern'd.

When the Cabal had drawn up their Articles, the next Thing was, to get a Number of Hands to fign them, and Affidavit-Men must be procur'd to swear to fome particular Matters, thereby to gain the greater Credit to the rest of their Forgeries: For this End nothing shall be left undone; no Perswasive unattempted, that might work either on the Hopes or Fears of Men, those two prevailing Passions of human Nature; considerable Rewards are offer'd to some, and many of the inferior Rank, by Threats and ill Usage, are hector'd and bully'd into Compliance to attest the Truth of the Articles drawn, tho' the Ringleaders only knew what they contain'd. It was industriously buzz'd among them, that the General was foon to be remov'd; and they who would not give a helping Hand, should find no Mercy when he was gone: The unfortunate Woman, i deluded by Promise of Marriage,

+ Catherine Sullivan.

^{*} This was well known all over the Island, and told a Gentleman who desir'd to see the Complaints, by one of the Complainants, as by Major Samuel Wickham's Deposition.

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age, must sign or swear to a Paper prepar'd to her Hand, the Contents whereof the knew no more of, than that it was Matter of Complaint against the General; the must add Perjury to her former Folly, or the perfidious Man will not perform his Contract; she is threaten'd to be whipt for having a Bastard, and that her Negroes shall be taken from her. Thus were the Misfortunes and Sins of some, made subservient to their most wicked Purposes: Nor are we without Instance of their exercifing Violence, where neither Threats or Promifes could prevail; he whose Probity could not be overcome by the Power of Liquor, or any other Artifice, is expos'd beyond all common Decency, must stand the Test of Stripes and Scourging, of Ridicule and Shame. These Methods occasion'd too much Smoke, not to cause a Suspicion of Fire; and their Intentions reach the General's Ear; who thereupon, in Council, fent a Message to the Gentlemen of the Assembly, when fitting, that if they had any Complaints to offer against him, he was willing to give them such a Day as they should defire for drawing them up; and afterwards, when they were adjourn'd, he wrote to fome of the chief of the Malecontents, that if they had any Cause of Complaint to offer against him, he was willing to call

call them together, and would stop the Fleet for a few Days, (which was then about to fail for England) that they might have Time to remonstrate whatsoever they conceiv'd to be Grievances; but these generous Offers could not be accepted of; their mid-night Forgeries were so notoriously false, as not to bear the Light, or admit of the Solemnity of such a regular Proceeding. What Opinion the Council had of these Things, the Reader may see from their own Words, in the following Address and Letter.

The Lieutenant-Governor, and the rest of her Majesty's Council, of the Island of ANTEGOA.

To bis Excellency Daniel Parke, Esq; Captain-General, and Governor in Chief, in and over all her Majesty's Leeward Charibbee Islands in America.

May it please your Excellency,

WE cannot but be much furprized and concern'd, to see at this Junture of Time, the many Attempts (as we are inform'd) that some People of this
Island,

*Island, under Pretence for the publick Good, make and endeavour, in a frange and unheard of Manner, to procure some to sign a Paper, wherein are contain'd feveral Articles against your Excellency, and intended to be accompany'd with an Address to her Majesty. The Particulars are fo privately and fecretly kept, that we attain to no certain Knowledge of them, to make any Remark to your Excellency, only it feems strange that any Person fhould pretend to know the Transactions of your Excellency better than ourselves, that relate to the Government; neither do we know of any Male-Administration, your Excellency has committed, that should cause any to take upon them to complain of fuch; and we are very fenfible there can nothing pass of that kind, without our Knowledge; and we must be fo just to your Excellency, to own, that we are absolutely of Opinion, your Excellency has committed nothing to give ' the least Pretentions for any fort of Complaint to her Majesty; and we are likewise troubled to fee that the Proceedings and Infinuations of these People, have so much disturb'd the Government, and divided the Island into Factions, to the Prejudice of her Majesty's Government, and the Tranquillity and Interest of the Inhabitants. Dated at the Town of St. John's,

in the Island of Antegoa, this 24th Day of

· August, 1708.

John Teamans. John Hamilton, Edward Byam, William Codrington, Thomas Morris, William Byam, George Gamble, Laurence Crabb.

They also, at the same Time, wrote and transmitted the following Letter to Richard Cary, Efq; Agent for the Island of Antegoa, in London.

SIR, T TE have Reason to think, that by VV the Opportunity of this Packet, and a Vessel lately fail'd from Monserrat, ' you will have Papers fent you containing certain Articles against his Excellency, our present General, in order, as you are Agent for this Island, to exhibit them to ' the Lords of the Committee of Trade and

Plantations, to lay them before some o-' ther Board.

Now, that you may not be impos'd on by the crafty Infinuations of some ill-de-' figning Men, who, under the specious Co-

' lour and Pretence of acting for the publick Good, artfully stir up Dissension, to gratify

gratify their private Piques and Malice, we have thought fit to let you know, that if any such Papers shall come to your Hands, or be laid before the Lords, or elsewhere, (of which we desire you to make early and diligent Enquiry) that the same are not form'd by the represen-' tative Body of this Island, but are Matters ' concerted by the fubtle Combinations of ' some particular disgusted and disaffected 'Persons (as well some Members of the 'Assembly, as others) towards his Excellency, who, by underhand Practices, and ' clandestine Ways, have brought over se-'veral unwary and unadvis'd Persons to join with them: One Method taken by these pretended Patriots, is, to let none 'into the Knowledge of these Articles, but ' fuch as will first swear not to divulge them, alledging the keeping them fecret ' will in a great Measure incapacitate his 'Excellency for a timely Defence, and thereby give Opportunity for the Blackness they cast on him, to gain so deep a Tincture, as will not after be readily wip'd off.

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'in, gives us a greater Opportunity than other Men, of knowing whether his Excellency has been guilty of Male-Administration in Government, or not; and as we have consider'd his Actions, and not

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found fufficient Grounds for Complaints, fo we cannot see any just Cause for the

present Endeavours against him.

Some of the pretended mighty Mat-" ters laid to his Excellency's Charge, have

been dropp'd and whisper'd about, but they are so infignificant and frivolous,

"twould afford Matter for Ridicule, more than any Thing elfe, to mention them.

And if private Injuries make up part of the Complaints, amongst so small a People as we are, it's fearce possible they

could remain a Secret. We think it therefore a Piece of common Justice to his Ex-

" cellency's Character, as well as our Duty

towards him, to let you be appriz'd of those Proceedings, that you may oppose and discourage the same as much as in

'you lies; and this we recommend to you as we are

Your loving Friends, &c.

Sign'd by the Members of the Council, who, it feems, were not misinform'd.

Articles of Impeachment were drawn up, a confiderable Sum of Money rais'd, and who fo proper to be fent into England, about this Affair, as one William Nevin, a Practitioner at Law, and not unacquainted with the cunning, underhand Methods of Solicitation; who, foreseeing the Advantage of fuch Agency, had been diligent

gent in hatching and contriving the Mifchief. Indeed he has had his Ends in it. and from a poor and mean Beginning, bas considerably mended his Condition, tho' by the Price of Blood.

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Notwithstanding the Malecontents had us'd their utmost Diligence and Endeavours to estrange the Hearts of the People from their Governor, yet hitherto were their Practices fo detestable to many of the most considerable Inhabitants, that they address'd her Majesty after the following Manner.

To the Queen's most Excellent Majesty.

The humble Address of several of the most confiderable Freeholders, Merchants, Planters, and Inhabitants of the Island of ANTEGOA.

WE your Majesty's most loyal, du-tiful, and obedient Subjects, do, with utmost Transports of Joy, receive 'the several Relations of the Success of 'your Majesty's Armies, and those of your Allies, all over Europe; and should think our felves as happy as any other your Ma-' jesty's Subjects whatsoever, under your 'most auspicious Reign, if a Spirit of Divifion (which of long Time has been brew-'ing) had not at this Time broke out into

a Flame in this Island, begun and carry'd on by the restless Malice of some · few Persons, who, upon private Piques and Prejudices, and by indirect Means, ' have fomented Misunderstandings, and ' industriously endeavour'd to alienate the Affections of your Majesty's Liege Peo-' ple of this Island, from Daniel Parke, Esq; your Majesty's Captain-General and Governor of this and other the Leeward * Charibbee Islands; and (as we are inform'd) have exhibited Articles against 'him, to your Majesty: But as he hath, by a just, steady, and impartial Adminiftration, and by indefatigable Diligence, demonstrated to all unbyass'd Persons, ' his Zeal for your Majesty's Honour and Service, and his Care and Vigilance for the Good of these Islands under his Government; (the Truth of which, the feveral Councils of these Islands having, as we understand, by Addresses to your 'Majesty, set forth) so we have great Reason to believe he has not given Room for any Impeachments to lye justly against him: And what confirms us, that the faid Articles are neither of Weight or Truth, is, by the unfair Manner of exhibiting them, without permitting him to know them, or any other Person whatfoever, but those who, under Oaths or folemn Promises, were engag'd not to reveal

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' reveal the same: Notwithstanding which, ' fome of them have come to our Know-'ledge; which, as we declare and know to be scandalous, malicious, and false, fo we cannot but think the rest of them to be of the like Nature. The main 'Hopes of those Persons, being, that the 'General will be remov'd from his Post 'in these Islands, on their Impeachments, 'without being fuffer'd to answer the ' fame. But as we are happy in enjoy-'ing, and living under the Government of the best of Queens, who, as she will not suffer the Guilty to go free, so will 'in no wife permit the Innocent to be 'condemn'd unheard; and we humbly conceive, that unless the General be protected from their Insolence, the Re-' fpect due to your Majesty's Authority, 'will be very much lessen'd by Means ' of these turbulent Spirits, who will always be contending with Government, 'if they find the least Success of their ' Proceedings.

'All which we lay at your Royal Feet; and as we doubt not but the General will approve himself a faithful and just Servant to your Majesty, so we beg Leave to assure your Majesty, that we are,

May it please your most Excellent Majesty, your Majesty's most obedient and dutiful Subjects, &c. C 3 This

This was sign'd by upwards of four Score of the principal Inhabitants. How the Trade suffer'd by those pretended Patriots of their Country, the following Address, sign'd by several Masters of Ships, will shew.

ANTEGOA.

To the Honourable the Lords Committee of Trade.

The Address of several Masters of Ships and other Vessels lying in the Harbour of the said Island.

to lay before your Lordships our Sentiments of the present Difference between her Majesty's Captain-General, Col. Daniel Parke, Esq; and some of the Inhabitants of this Island; who, to gratify their private Malice and Ambition, have seduc'd several of the giddy meaner Sort of People from their Obedience to Government, and, by disrespectful Behaviour to affront her Majesty's Authority in the Person of her said General, which (tho purely prejudic'd) is yet carry'd on under the Notion and specious Pretence of Liberty and Property; neither of which, on the strictest Enquiries and Observations we

we can make, have been in the least in-' fring'd by General Parke, who, on the 'contrary, has exerted his Power in pro-'tecting their Rights and Liberties, and ' promoting the Interest of this and all 'the other Islands under his Government, by a constant, regular, and courteous Ad-' ministration of Affairs, to her Majesty's 'Honour, the Welfare of these Islands, and Prosperity of Trade, which he has encourag'd to the utmost.

This is what we thought our felves 'humbly oblig'd to represent to your Honours, being more immediately concern'd in the Trade of these Islands, which manifestly suffers by these groundless Factions mind soll all address

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tr Majef v. that he has not normali We are, with all imaginable Re. fpects, your Lord hips mest bumble Servants, &c.

It was represented to her Majesty, by the Agent of the difaffected Party, that all the other Islands, as well as Antegoa, groan'd under the Pressure of Col. Parke's Administration; and wanted only Opportunity to remonstrate their Grievance. That this was of a Piece with the rest of their Lies and Calumnies, the Reader may fatisfy himself from the following Address

The humble Address of the Council and Assembly of the Island of Montserrat.

May it please your most sacred Majesty,

7E your Majesty's dutiful and loyal Subjects of this Island, understanding that some Articles are form'd by Perfons of Antegoa, against Col. Daniel Parke, your Majesty's Chief Governor of these Islands, and privately fent by one Mr. Nevin, in order to be laid before your Majesty, or the Lords Committee for Trade and Plantations, think our felves oblig'd (in regard we are one of the chief Islands of this Government) to do him and our felves the Justice humbly to represent to your Majesty, that he has not been guilty of any Male-Administration in this Island, fince his Arrival amongst us; but, on the contrary, has been indefatigable for the Preservation of your Majesty's Islands, having visited this Island much oftner than any other General ever did in the same Compass of Time; and has feveral Times offer'd us, that if we would make any new Works, he would both lay them out for us, and fee them carry'd on; tho' this Island never made him any manner of Present, nor did he ever defire any from us; which is an Argument both of his Generosity and Goodness;

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'ness; therefore we think our selves very happy under his Government, and pray ' for his long Continuance amongst us. We begLeave to lay before your Majesty how 'much we were furpriz'd when we heard of Articles drawn up against the General by some Persons in Antegoa, which we look upon as a very ungrateful Return after all ' his Care, Fatigue, and Attendance upon their publick Works, to put them into a Posture of Defence, and taking his Station amongst them, when they daily expected to be attack'd by the Enemy. Such a Resolution shews a generous Spirit, ' and how much he made the Preservation of that Island his particular Care.

"We have therefore Reasons to believe their Complaints to be unjust and illgrounded, and rather the Effects of private 'Piques by particular Persons that will ' find Faults, and make Complaints of every Thing, wherein their Humours are not gratify'd, tho' never fo unreasonable; and we can't but think it very strange, that some Persons of Antegoa should form Articles against our General, when the Lieutenant-Governor and Council, not only of that Island, but of the other Islands, and we our felves know not any one Action of him fince his coming to the Government, that deferves a Complaint. We do therefore most humbly implore

implore your Majesty, that the Complaints of some particular disaffected People of one Island, may make no Impression on your Majesty to the Prejudice of your General, Col. Parke; which we should look upon as a great Misfortune to us of this 'Island, who have had so large Experience of his discharging faithfully, to the utmost of his Power, the Government your Majesty hath been graciously pleas'd to honour him withal, &c.

> Thomas Lee, President, William Frye, John Daly, George Liddall, William Gerrifo, Edw. Buncomb, Speaker, John Brambly, John Hart, Anthony Ravill, William Finch, Dennis Daly.

But to return to the Conspirators, who having fent their Agent off to England. were not to be idle themselves; the Spirit of Faction was to be kept up among the People; for cool Thoughts might reduce them to their Duty and Obedience: Care was therefore taken in the enfuing Elections for Affembly-Men, that a Majority

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jority of the difaffected Party was return'd, fo as to embarrafs the publick Affairs. The Assembly, the' often convened, would grant no Supply to the Army for longer Time than a Month, and the General (tho' he had thewn that his Instructions from her Majesty were express, that he should not confent to any Act which was not to continue in Force for three Months) must pass their Act for fo fhort a Time, or the Army shall be left unprovided. In this they found their Account; for as it was impossible for the Officers, especially the Subalterns, to live in that extravagant Country on their Pay, (which they feldom or never receiv'd) the Faction, by treating and entertaining them at their Houses, brought most of them into their Interests and Cabals; where, imputing the Cause of the Publick's not providing for them, to the General, they became difaffected. By this Means likewise the private Men perish'd for Want, and the Regiment was foon reduc'd to half its Complement of Men; the Captains, or other Officers, taking Care of the Companies, grossly impos'd upon the Survivors in the Provisions and Cloaths, Og. which they furnish'd them with at extravagant Rates, (being feldom or never regimentally cloath'd;) and the Crown was egregiously impos'd upon by

false Musters. All this the General resenting, made Col. Jones become a bitter Enemy to him, and encourag'd his Officers in their Slights and Disobedience to the General's Commands, he meriting most of his Colonel, who feem'd to be most a Party-Man; which did not a little contribute to the Rebellion that follow'd; wherein, if they were not immediately concern'd, yet were Promoters and Abettors of it. No Fund shall be rais'd for fatisfying the Debts of the Publick, unless the General will confent that the Affembly have the negative Voice, and they to give the last Sanction Laws that pass; otherwise the publick Credit must suffer: Nor shall all this be fufficient, unless he farther comply to pass their Bill of Privileges, which they had fram'd to lop and despoil the Crown of all its Rights; but thefe were Things he could by no Means agree to.

Thus do these pretended Patriots sacrifice the Good of their Country, to their private Resentments; the General must either betray and give up the Prerogatives of the Crown, must act in Contradiction to the Letter of his Patent, and his Instructions from the Queen, (which indeed would have given just Matter of Accusation against him) or he shall be represented to the People as an Usurper

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on their Liberties, and an Enemy to the Publick.

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The Party, all this While, had no fatisfactory Account from their Agent in England; and therefore impatient of Delay, conscious of the Badness of their Cause, and doubtful of Success, they enter into desperate Consults against the General's Person, and some | Persons are engag'd to undertake the Assassination; these watch the Opportunity of the General's being attended by two or three, and as he rode along the High-way, he was shot at from an Ambuscade; the Bone of his Arm was fractur'd, but he at that Time escap'd with Life. The Council, by Address, express great Detestation and Abhorrence of this base and barbarous Defign; they take that Opportunity to affure his Excellency of their utmost Assistance to defend his Person against all who shall conspire against it; publickly and unanimously declaring, that in case he should come to any untimely Death, (which they pray God forbid) they will profecute the Contrivers, and all their Adherents, with the utmost Rigour and Severity; and they make it their Defire, that he will take more than

Baftian Otto-Byar, Richard Smith, Gr.

ordinary Care of his Person for the Time to come: They also publish a Proclamation, with confiderable Reward, for apprehending the Perfons concern'd therein; (whom, by the Depositions that were made before them, they had great Reafon to suspect, and who since the General's Death have confess'd and glory'd in the Attempt) but they had too many Friends to be taken, and were privately convey'd out of the Island.

The Minutes of Council relating to this Attempt against the Generals Life, and the pretended Rights of the Assembly, were fent into England, and Directions from the Lords Committee of Trade requested; which, as they carry an undeniable Justification of the General's not complying with the unreasonable Demands of the Assembly, I shall here insert from their Letter of the 29th of Fanuary

1709-10.

SIR,

VE are very forry for the villain-ous Attempts upon your Per-' fon, which was not only an Injury to 'your felf, and that of the highest Na-'ture, but an Indignity to her Majesty, by affronting her Authority; and we ' heartily wish, that the Actors and Con-'trivers

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'trivers of that Delign, may be discover'd, that they may be profecuted and pu-'nish'd with the utmost Severity of the Law. As to your Desire of Directions, 'in Relation to the Assembly's infisting on their Speaker's having a negative Voice in the passing of Laws, that is, of signing after you, we did in our Letter of the 25th of November 1708, ac-' quaint you with our Opinion, that you had done well in supporting the Rights of the Crown; and in our Letter of the 29th of November last, we acquainted you, that in Relation to the Irregularity of the Proceedings of the Affembly of Antegoa, and their pretending to assume Privileges which of Right do not belong to them, we could only advife you to pursue the Instructions you have from her Majesty, which would be a sufficient Justification to you: This we thought would have been fufficient for your Direction; but since you defire fomething farther, we have only to add, That by one Clause in your Commission, which is under the Broad Seal of this Kingdom, the negative Voice is folely lodg'd in you, or the Commander in Chief for the Time being, as follows.

And

"And to the End that nothing may be " pass'd or done by any of the said Coun-" cils or Assemblies, to the Prejudice of us, " our Heirs and Successors, we will and " ordain, that you the said Daniel Parke, "and in your Absence, our Lieutenant-Go-" vernor, respectively shall have and en-" joy a negative Voice in the making and " passing of all Laws, Statutes, and Ordi-" nances, as aforesaid. So that the Assembly infifting on a Privilege which her 'Majesty has reserv'd to her self, and only deputed to you and the Commander in 'Chief for the Time being, is an undutiful Attempt upon her Majesty's Royal Prerogative, which is contrary to the constant Usage here in Great Britain, and what none of her Majesty's other Plantations in America have ever pretended to. Their Allegation, that other former Governors have done it, ought not to weigh with you; their Neglect of their Duty in giving up the Right of the Crown, is a Precedent we hope you will never follow; and · therefore we have only to advise you to 'acquaint the Assembly with the afore-' mention'dClaim in yourCommission; and their pretending to assume the Right of ' their Speaker's figning last, will never be allow'd of here. You will do well therefore to continue to affert her Majesty's Right,

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And now there offer'd a Contingency, which it might be thought Providence defign'd, to bring these People to better Temper: They have Intelligence of the French Fleet's appearing before those Islands; the General hereupon convenes the Assembly, and in Council acquaints them with the Danger that threaten'd; recommends to them to consider of the best Methods for the Sasety of their Island, and assures them that he will readily consent to do every Thing in his Power that they shall advise, which may not be inconsistent with her Majesty's Instructions.

When the Enemy was fo near, it was furely high Time for Peace and Agreement among themselves; it might reasonably be hop'd, that private Piques should give Place to the publick Good; and the Danger that every particular Person was expos'd to, might naturally have united them for a general Defence: But such is the Witchcraft of Rebellion, that when Men engage their Passions in its Service, it leads them in Circles, their Heads grow giddy, their Reasons are bewilder'd, and their Brains turn round; the Cry for Liberty grows louder,

and they will sooner be plunder'd and destroy'd by a foreign Invasion, than not

infift on their pretended Rights.

The General and Council are inform'd that the Assembly's Reason for not making Provision for the Army for longer Time than a Month, was, to lay the Government under a Necessity of calling a Monthly Assembly; and the General, as was before observ'd, not having Power to pass any Act to be of Force for less Time than three Months, the Assembly are defir'd to grant a Supply for the three Months, in regard more especially of the present impending Danger, and are affur'd that they shall be Monthly convened; but this Proposal, and the Endeavours of the General to bring them to a Sight of their Danger, and the Concern he express'd for the Island, make them more obstinate in their Demands, and buoy up their Expectations, that their Perverseness will prevail; but when, because nothing could be done, the Assembly are therefore adjourn'd, and the Fears of the People drive them into Distraction, the defigning Men take the Advantage of their Confusion, (forgetful of the Address of Thanks the representative Body of this Island had made to his Excellency, for his Care and Regard to that Island, in supplying them out of her Majesty's Bounty

Bounty to those Islands, with Cannon, Powder, &c. and his indefatigable Pains and Trouble in directing and causing the said Cannon, in his proper Person, to be landed, with little or no Charge to the Publick) they attribute their naked and defenceless Condition to the General's tyrannical Intentions; nor could the † vast Stake he had therein, preserve him from the Calumny of designing to sell those Islands to the Enemy, to gratify as well his Avarice as Revenge.

At last it is discover'd, that the Enemy will make the first Attempt on Montserrat. The extraordinary Care the General took, and the exposing his own Person thereupon, will convince the unprejudic'd Reader of the Malice and vile
Infinuations of his Adversaries; and that
there was nothing he had more at Heart
than the Preservation of those Islands.
The Sense the Inhabitants had hereof,
may be seen in their own Words, taken
from the Address of the Council and
Assembly of that Island to her Majesty.

'And we must farther thank your Ma'jesty for making Col. Parke our Gene'ral, whose Vigilance, Conduct, and
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[†] He had as good an Estate on that Island, at any of the Complainants against him, their Debts being paid.

Courage, has disappointed the Designs of our Enemies, and prevented their gaining any Advantage over us, since we have been so happy as to have him

our Governor:

'And when this Island was lately attack'd, his Expedition in coming down to our Relief, when staying for the Man of War, might have been too late to have fav'd us, and his following the Enemy to every Place that was in Danger, 'till they dispers'd themselves, may, for the future, make them more cautious to attack any of these Islands, now we have a Governor fo ready to draw the rest to their Assistance, and personally to head them: We therefore pray your Majesty for his long Continuance amongst us; but if your Majesty shall think it necessary, for his Justification, that he personally answer the Complaint against him, wherein he is charged with Crimes we are perfectly ignorant of.

'We therefore humbly take Leave to inform your Majesty, we know of no Male-Administration or Neglect of Duty, that our General, Col. Parke, has been guilty of, during the whole Time he has govern'd these Islands; and we hope, that when he has clear'd himself

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of what his Enemies have laid to his 'Charge, (which we have no Manner of Reason to doubt but that he will) he may 'be restor'd to this his Government; and we humbly implore your Majesty, that

'he may be continu'd our General.

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At length the Solicitations of the Complainants Friends in England, prevail'd fo far, that the Queen's Letter was obtain'd, directing the examining of Witnesses by Depositions taken on Oath in that Island, to prove the Articles that were already exhibited, and fuch others as should be brought in; Copies duly attested, of their Articles and Proofs, were to be deliver'd to the General, to enable him to make his Defence; Copies of his Answer to such Articles, and the Affidavits on his Part, were alfo to be deliver'd to the Complainants, and the Seal of the Island was to be affix'd to the Depositions on both Sides, to be transmitted into England; Duplicates to be made, for fear of Miscarriage, and the General was also directed to take the Opportunity of the first Man of War, after this, and the fettling of his own Affairs, to return Home.

It was with no small Pride and Triumph, that the Complainants Agent, Mr. Nevin, return'd to them; the Success he had in England, which was accounted little less

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than Conquest, was undeniable Reason for continuing him in their Service; and he is made Manager in Chief, on the taking the Depositions. Every Body is now told what Credit the Articles that were fent into England, met with at Court, and in what Disesteem the General was held there; that he was now to be remov'd, without any Prospect of returning; and they who, by their opposing him, had shew'd themselves greatest Patriots, were to be put into Power and Trust. Thus were the People excited to a Zeal for the Cause of their Country, (as they styl'd it) and he was thought to merit most of the Party, that was most abusive, difrespectful, and insolent; nay, so excessively rude was their Behaviour, that the General at last thought it prudent to refer the Management to some one or other of his Friends, and not to attend himself on the taking of the Depositions; and they who had fo much Friendship and Courage, as to undertake this Task, were treated with fuch ill Manners * and abusive Language by the Faction and their Agent, as Flesh and Blood could not well have bore, had not these Gentlemens Regard to the General's Orders, and their Unwillingness to give any Pretext of Complaint to his Enemies, exceeded and overcome their Refentments. The

^{*} See Mr. Bolt's Deposition.

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The Time appointed for the Fleet's failing, with which the General declar'd his Intentions of going, and by which the Papers were to be sent for England, being within a Week of expiring, the General fends to the Justices that were appointed to take the Affidavits, and complains of the Delays that were given; desires the Complainants will dispatch their Charge, that he may have Time to finish his Defence, and go Home with the Fleet; but the Design of his Enemies was to bring him into this Strait, either to go off with the Fleet without answering their Charge, and clearing up his Reputation from their black Accusations, (many of which, as yet he had not heard of) or by his staying behind, to have the Opportunity of infinuating to his Prejudice, whatever their wicked Imaginations or Malice could fuggest.

The General refolv'd (if possible) to disappoint his Enemies, and depending upon his own Innocence, chose to content himself with such Method of Defence, as the little Time allow'd him would give him Leave to make, and go Home with the Fleet, as well to get off from a People who he had too great Reason to know, had Designs against his Life, as to avoid any Misrepresentation which might be made on his staying behind, Fair Copies

pies are therefore made of the Depositions on his Part, and the Magistrates appointed for that Purpose, sent to, * and importun'd to examine them; who, notwithstanding the many Appointments and Promises made, defer their so doing from Time to Time; and on Saturday the 29th of July 1709, about fix in the Evening, when the Fleet were actually under Sail, they came with feveral of the Complainants to the General, to demand the Great Seal might be put to fuch Papers as they had brought to be transmitted into England; whereupon the † Gentleman who manag'd for the General, read to them a Paper, a Copy of which, as it contains some of the many Difficulties the General was laid under, in making his Defence, and shews the Impossibility he was brought to, of going with that Fleet, I shall beg the Reader's Leave to infert.

GENTLEMEN,

THE General has desir'd me to acquaint you, that he is mightily surpriz'd at your desiring a Broad Seal for the Bundle of Papers you have brought with you.

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^{*} See Mr. James Rawleigh's Deposition.

^{*} Mr. Andrew Bolt.

'If you design'd to have sent them this 'Fleet, you ought certainly to have acquainted him, that he might have appointed Somebody to examine the Papers 'you now bring with you, with the Copies you already have deliver'd him. 'For if the Justices chose by you, don't think it reasonable, and will not put their Names to any Papers, but what they examine and read themselves, can 'it be reasonable he should put the Broad 'Seal to what has never been examin'd 'on his Part.

'And as your Proceedings have no manner of Precedent, the General has no Rule to govern himself by, but the Queen's Letter; and, where that is not

'express, by Reason.

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Which Reason teaches him to be very cautious, and as much as in him
lies, neither to leave himself at the Mercy of (or any ways to trust) such Enemies, some of whom have been Villains
enough to assassinate him; to bribe *
Men to murther him, and this more
than once or twice; and tho he don't
believe all of you arriv'd to such a
Height of Wickedness, yet he thinks he
has no Reason in the least to trust any
who have so deliberately charg'd him
with what is so notoriously false, and
which

^{*} See Thomas Cook's Deposition.

which fo many of them know to be fo, or know nothing of at all: And he fays, that Venom must be very rank, that can provoke you to give fuch Language as is in your Articles, which is never heard but at Billing sgate, to one her Majesty has honour'd with being your General, and chief Governor; unless you would rather he should believe it is your usual Style, and is agreeable to your Educations, and no particular Mark of your Malice against him. And your asking the Broad Seal just as the Fleet is failing, and your never fending to him to examine what Depositions you would have the Broad Seal put to, carries strong Probabilities you would have it affix'd to fomething he knows nothing of; and which he should deserve to suffer by, if he ventur'd.

But as this is another very wonderful Instance of your Delays, he shall take this Occasion, as he always has done, to shew his Dispatch, and will immediately direct one to proceed to examine your Papers, you examining his at the same Time; for it is evidently her Majesty's Order, and agreeable to her usual Justice, that you interchange the Broad Seal, and six it on them at the same Time, that the Charge and the Defence may appear together.

' And tho' Yesterday Morning he sent to the Justices you appointed for this Affair, (one * of which is the first that signs the Articles against him) to come and exa-' mine his Depositions, in order for the Great Seal, which they were not pleas'd to do, but spent the Afternoon on your Depositions; as they can't do both together, and were pleas'd to give you the Post of Honour in going thro' yours first; they will, he hopes, proceed on his, now yours are over; for he is not to fuffer by their Compliment, and the Broad 'Seal must be fix'd on them together, 'whose Papers soever they please to read 'first. Among the wonderful of your ' Proceedings, I must observe to you, that 'whereas you well knew by the Queen's 'Letter, the same Notice and Manner of ' Proceedings, both in the General's Charge 'and Defence, was directed to be observ'd on each Island of his Government, 'twas your Bufiness to regulate your Selves accordingly. 'Thus, altho' this is the clamorous Island,

the Time requisite to fail from one Island to another, oblig'd you to contrive to finish what related to this Island the first Month, that the other might be allow'd to Montserrat, Nevis, and St. Christopher's, who, you told her Majesty, would be-

fore

^{*} Mr. Nathaniel Crump.

fore have Articled against the General,

had they an Opportunity.

'And if the Business of this Island ought to have been compleated in a Month, you ' should have finish'd your Charge in half

' that Time, and have allow'd the General

the other half to answer; and fourteen Days were sufficient for you to take more

Depositions of Moment, than you have yet

taken relating to him; and 'tis certainly ' much more difficult to answer Depositi-

ons as foon as made, than to bring Peo-

' ple to attest a Charge already drawn: But fo far have you been from finishing

' here in fourteen Days, that whereas the

'Fleet arriv'd here the 27th of May, you

' deliver'd no Deposition taken against him

'till the 19th of June following.

'Thus you had almost nine Weeks for ' your Charge, and he but about five for 'his Defence; by which you were fo ' much forwarder than he, and had fo " much more Time to get Copies of your ' fucceeding Depositions, and fair ones for

' the Broad Seal.

' And in the same dilatory Manner you begun, you have ever fince continu'd; 'and I was forc'd to complain of you on Behalf of the General, the 15th of this ' July, that you had not then deliver'd ' him the Copies of the Depositions taken against him in your three last Sittings; wherewhereas he had deliver'd you all he had

taken to that very Day.

'I also then observ'd to you, that you had deferr'd 'till the Time the Fleet was 'almost ready to sail, several Depositions that appear'd to carry with them the 'greatest Weight of any Thing alledg'd 'against him, which you might have taken the first Day, if you had not contriv'd it on purpose, that he might not have 'Time to answer; he desir'd you then to inform him when you design'd to conclude your Charge, that he might 'appoint a Day to finish his Defence, that if possible he might go in the Fleet; but you would six no Time, and sent him 'no Answer.

'So plainly were you refolv'd to deprive him of the Liberty his Royal Mifirest gave him, to come Home, where he
might have clear'd himself from your
Calumnies. You have fince had another
Meeting, and if any Thing can be wonderful you do to them that are acquainted with you, 'tis, that you should bring
before the Justices here, Complaints taken at the three other Islands: But they
who dare proceed as you did therein,
might do any Thing.

'The Queen's Order, as was before obferv'd, made no Distinction between the Management of the Complaints in either

'Island,

'Island, and 'twas agreeable to her Justice, 'for which her Reign is so glorious; not-

withstanding which, in the midst of your

'Complaints against him here, in which he was oblig'd to attend you, you put

'up Publications at other Islands.

How could the General be at two Places at once? Or was it possible for him to depute any Mortal that could answer for him, or put into a true Light, Charges they know nothing of? Words or Actions, said or done in Private, are known only by the Persons themselves; and many Depositions that have been here sworn to, as you have dress'd them, seem'd agreeable to the Titles us'd in their Articles, which have appear'd

'Trifles when explain'd.

'And you, Gentlemen, may as well ar'ticle against your General, for not being
'omniscient, as expect he could find any
'one that is so; without which you know
'no one could interrogate, cross-examine,
'and know what Persons could contra'dict your respective Assidavits, and who
'could make Counter-Depositions to them.
'No, Gentlemen, how ridiculous soever
'Abundance of your triffling Assidavits

'Abundance of your triffling Affidavits
'may make you appear to be, you are not
'fo stupid to believe you have not abus'd
'her Majesty's Goodness, by assuming to
'your selves a Power to take Depositions
'with-

without Regard to the Manner her Majesty has directed, by which each Party is to crofs-examine one another; but they who would rob her Majesty of the first Flower in her Crown, and deny her negative Voice, are not likely much to regard her Directions in what relates to their Governor, tho he has the 'Honour to represent her; nor can you ' find any better Reasons to justify your ' bringing here Depositions taken in other 'Islands. Are those Islands any Way dependent on this? Is not Nevis in some Respect your Superior? And is it possi-'ble to cross-examine, and take Counter-Depositions of People at such a Distance. 'Sould you still pretend, from the Queen's Letter, the General might depute, no Body will deny it; and I have 'been deputed, and appear'd for him; 'but 'twas he himself was only able to 'know what would confute you; and if 'he had not been on the Spot, I should 'have thought several of your Deposi-'tions of Moment, which have appear'd ' to have nothing in them. 'You can, Gentlemen, have no other 'View, than (by appearing with Deposi-' tions from all the Islands) to impose up-

on them who will not bestow Time 'enough to understand your Manage-

ment.

'Thus you have made it impossible for the General to go Home, to expose such Insinuations against him, by your de-

ferring these Things'till the Fleet is un-

der Sail.

'Twas but Yesterday you brought your new Articles; and the Man of War he was order'd Home in, was fail'd before you brought him those Articles, or gave him the least Notice you were ready for the Broad Seal; which 'it's plain you defign'd to furprize him 'in, by asking for it in this Manner, that the World might believe he refus'd you the Seal, when you and your Justices, by not finishing 'till this Moment, and faying they had not Time to read the General's Depositions, prevented the Seals being fix'd to both; for if there was any Distinction in Point of Compliment, the General might with Mo-'desty have expected it; and he af-fures you he would have scorn'd to have ' made fuch Use of it, as to have fix'd the Seal to his Part, when yours only wanted a Reading; fo will he not fix the Seals to yours, unless you will read over his, which he shews you are now ready; 'and then he will feal both, and you ' may fend them by fome Vessel to the 'Fleet at St. Christopher's; for the Queen's Order is positive, that the Broad Seal

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be fix'd on both together, and they interchang'd. Thus, Gentlemen, have you forc'd the General to stay here much longer than he desires, he being ty'd not to return 'till the next Man of War; but if in the Interim you behave your selves as you ought, in your different Capacities, he shall forget all the Indignities you have offer'd to him.

The Broad Seal being after this Manner, and for these Reasons, refus'd them, they would not confent to the Propofal of examining the Depositions for the General, sealing both together, and fending them after the Fleet, but they feal up their own Depositions with their Agent's Seal, (which Seal was again return'd to their Agent) and he fent away for England with them. What Credit ought to be given to Depositions fo corruptly and difingeniously taken, and left in the Power of a Person (whose equal Dealing in this Affair, the General had no Reason to confide in) to alter and mangle, as to the wicked Designs of these Men might feem most convenient, I refer to the Reader's Observation.

But the Truth was this: When Things were enquir'd into, Pro and Con, the Proof of the Articles were in many Points so lame, and in the Whole so strenuously

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confuted by the Answer of the General, which was confirm'd by the Depositions of Persons of undoubted Credit and Veracity, that their Fears by far exceed their Hopes. It was dreaded, that when these Things should be inspected into in England, the General would come off with Honour and Applause; and some of those who had been most busy in these Forgeries, might receive fuch Punishment as the Law would direct. Having therefore neceffitated him to flay behind the Fleet, they renew their Designs against his Life, and endeavour to draw over to them as many of the Island as possible, as well the better to accomplish the Work, as in Hopes that the Greatness of their Numbers might exempt them from Punishment, and gain an Indemnity.

And indeed, as all Means were taken, for it prov'd no difficult Matter to irritate and stir up a People who were now ready to credit every Calumny; most of whom had been led fo far into the Mifchief, that they were perswaded there was no going back; and that their Safety was no Way confistent with the letting him live. And now, what hitherto was carry'd on in the Dark, begins to Thew-it felf more openly; what was a long Time intended, begins to ripen for Exe cution. The Assembly-Men, tho' dif folv'd

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foly'd, are still accounted the Representatives of the Island, worthy to be entrusted with the Care of the People, whose Destruction, it was now publickly faid, was intended by the General; the Preservation of their Liberty and Property, (which it must be confess'd are valuable Bleffings, and deserve our best Care when really in Danger) is committed to those Patriots who use every Artifice to recommend themselves as such to the Populace; they engross and forestal the Markets, to increase the Scarcity of Provisions, and then make Use of the Necessities of the People, to have them always at their Beck, by dealing out Bread to those who were in Need; publick Feasts are made, and the Invitations to them in general, to all Ranks and Conditions of Men; the Mob, which were numerous on those Occasions, were exercis'd, and taught to form themselves into the feveral military Dispositions, to prepare them the better for the Design they had in View; tho' all this was perform'd under the specious Colour of training up a Militia for Defence against the publick Enemy, in Case of any Invasion; to which, indeed, as was before observ'd, this Island was greatly expos'd, and about this Time feem'd to be threaten'd with, which was made great Use of to 111-

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xe dil v'd, increase the Fears of the People, who were with all Confidence assur'd, that the General was in the Secret, and that

he had fold them to the French.

The General, upon the Information of fome French Vessels appearing off this Island, according to his usual Manner, confults his Council, and by their Advice, thought it convenient to have an Affembly in being on fuch approaching Danger; his Wishes and Inclinations for the Good of those People, were so powerful, as to make him hope, even beyond Demonstration, that the Dread of the publick Enemy might bring them to the Use of their Reason; that their real Danger would dissipate their imaginary Fears, and the private Designs of some, give Way to the publick Safety: An Assembly was therefore fummon'd, but they had wrought themselves to such a Height in Iniquity, had given themselves up so entirely to the Power of Delufion and Frenzy, that they came together rather with Intentions to reproach the General, than to confider of their Security; and to prevent any Possibility of effecting any Thing to be done, they infift (as positively as they had done before on the negative Voice) that they should have the Appointment of their own Clerk; and the General, in whom the Power of the Crown

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Crown was lodg'd, and whose Right therefore it was to appoint the Clerk, shall not be allow'd to act in this Matter farther than as a common Justice of Peace, to administer what Oaths are requir'd to the Person they should appoint. The General having acquainted them, that this was more than was allow'd to the Parliament in England, (the Usage of which was to be their Precedent) he could no more consent to their Demand on this Head, than he could to that of the negative Voice. + Whereupon the Assembly, attended with an unruly Mob, broke into the Court-House, where the General and Council were fitting; they infult and revile him; deny his being General, tho' arm'd with the Queen's Commission, and will not acknowledge or fubmit to his Authority; they call him Traytor; threaten to pull him out by the Beard; and a | Blood-thirsty Man officiously offers his Service to cut his Throat. + An Officer present at these Insults, and feeing the Danger, commands a Serjeant and seven Grenadiers from the Guard-House, to rest at the Door of the Court-Hall, in order to prevent the bna isbu ME 3 nothe vieds b Mil-

And the Minhe and the ne

[†] Tuesday, Eeb. the 5th, 1710 | hand 1 100 ni

t Lieut. Worthington.

Mischief, and preserve the General's Perfon, if they proceeded to put their Threats in Execution. The Affembly being adjourn'd for two Days, upon the Approach of these Soldiers, withdraw, tho' with bitter Expressions and foul Language. The common People are told, they had now ocular Demonstration of the Tyranny of the General, and his Usurpations on their Liberties: That there could be no fuch Thing as a free Affembly, when the Army was made Use of to awe them. However, they threaten the General (to speak in their own Phrase) with such a Pill on Thrusday, as he should not digest; and they would bring such Force with them, as would drive him and his Grenadiers to the Devil. The Affembly parted this Night, having first order'd, that each Representative should summon those he represented, to meet on Thursday following in the Town, arm'd; and they who were principal Actors and Advisors in the design'd Rebellion, make Settlements of their Estates, and enrol them in the publick Registry, as the Law there directs, to prevent the Forfeitures they were afraid would attend their intended Murder and Treafon: And that Night and the next Day was fpent in fummoning the Inhabitants in Col. Edward Byam's Name, to come

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arm'd to Town the Thursday following, to protect their Representatives; but whether Col. Byam issu'd out such a Summons or no, he can best tell; but 'tis certain he was acquainted therewith, and never contradicted it; or, when they were affembled together in St. John's, never once offer'd to undeceive them, or desir'd them to disperse, tho' it's very probable that he, whose Name had Influence enough to bring them together, could easily perswade them to depart. Most Mens Minds were fufficiently prepar'd by this Time, to receive any Prejudice against the General, tho' some could not be brought to confent to the Murder. Thefe, therefore, are argu'd with, that the General's Life was not at all aim'd at; that they only defign'd to take him Prisoner, and send him off the Island, which otherwise he would give up to the French: That the fickly Constitution of their Government, requir'd their doing thus much; but as to any Attempt against his Life, God forbid that should be thought on. However, they who were more rife for their Purposes, and found willing to drudge thro' Thick and Thin, are let into the Secret, that (to speak in their own Dialect) they would make a Sacrifice of Daniel Parke's Body, and fend his Soul as an Offering to the E 4 Systematical Nis.

Devil; and, if the cowardly Dog would deliver up his Commission, which was to be demanded, they would hang him up on the first Tree they met. To spirit up the meaner Sort to join in the Rebellion. they are promis'd the free Plunder of the General's, and all his Friends Good; and full of these Expectations, prepar'd with Bags and Pillow-Cafes to carry off the Plunder, they come to Town on Thursday the 7th of December, a Day for ever to be remember'd in that Island with Shame and Confusion, with Fasting and Humiliation to divert the just Judgments of God, and deprecate the Punishments of this their Sin.

It was not far in the Morning, before there appear'd about four hundred Men under Arms in the Town of St. John's. The General seeing their Preparations, had got to his House between forty and sifty Soldiers, (all the Army the Town afforded) for his Defence, with † three Officers and seven other Gentlemen ||: He sends the Provost-Marshal to read and nail up in the Market-Place a Proclamation, requiring all Persons under Arms (above

[†] Col. Newell, Lieut. Worthington, Ensign Lyndon.

Mr. Pember, Mr. Gatewood, Mr. Ayon, Mr. Beauleas,

Dr. Bonnin, Mr. Rosengrave, Mr. French.

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(above the Number of ten) to disperse; but the Rebels (for under that Denomination I must now make Mention of them) would not admit of the Publishing thereof. They threaten to seize the Provost-Marshal, and direct him to tell the General to wipe bis Arse with it: That his Guards, being few in Number, could make but small Resistance to their Forces, which were every Minute increasing, already above five hundred Men; and that they would either cut his Throat, or send him off the Island in Chains.

They order a Proclamation in the Name of the Assembly, to be thrice read at the Head of the congregated Rabble, whereby it was declar'd, that the General was a Traytor, and all those who would not take up Arms against him, are deem'd Traytors and Rebels to their Country; are to be banish'd off the Islands, and their Estates confiscated. After this, they sent an Address, or rather indeed a Command, to the General, brought by their † Speaker and one of the || Council, wherein they complain of the Soldiers being an Awe or Check to the Assembly; require he should discharge his Guards,

and

[†] Mr. Nath. Crump. Col. George Gambal.

and quit his Government. The General makes Answer, That neither Threats nor Death should or could prevail on him to quit the Government his Royal Mistress had entrusted him with; but that if the Assembly thought themselves aw'd by his Guards, that they might meet with the Lieutenant-Governor and Council at Parham, (which is fix or feven Miles from St. John's) where they should not fee one Soldier, and they might keep there what Party of Men they pleas'd, for their Safe-guard: That he would appoint the same Person whom they had chosen for Clerk; and that what Laws they should make for the Good of the Island, he would consent to: That as to his Guards, they should molest no Body; that he kept them only for the Preservation of his Person, against which, he was inform'd, they had evil Defigns; but that he should dismiss the Soldiers which were above the Number of his usual Guard, provided fix Gentlemen of the best Repute would come up to him, and remain as Hoftages: That the Inhabitants should also be dismis'd and dispers'd. The Gentlemen who were fent as aforefaid by the Rebels, to the General, were fo well pleas'd with his Answer, which he gave them in Writing, that they offer themselves as two of the Hostages, and

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and engage to bring up four more with them: And indeed some of the Rebels were so well satisfy'd, that they laid down their Arms, and declar'd the General's Condescensions were beyond Expectation; but it was not probable that any Concessions should prevail on those who thirsted for his Blood, and whose Resolutions were before six'd to take away his Life.

The General flatter'd himself that his Proposals were such as might make the People easy, and express'd great Satisfaction, that the Storm was fo well blown over: But to his great Surprize, when he expected and waited for the Hostages coming, he hears a March beat, and fees the Rebels coming towards him, who had divided themselves in two Parties, and march'd by two feveral Ways to attack him; the one commanded by Capt. John Piggot, a rash Man, very fit to be made a Tool of on fuch an Occasion, who had been but lately arriv'd on the Island, and whom the General was fo far from giving the least Offence to, that he had no manner of Acquaintance with him, but was drawn into that Faction by the Artifice of the Party, and the Apprehension he had of a Suit in Chancery to be commenc'd against him by his Wife's Children, in which they should not fail of having Justice done them: The other by one

one Capt. John Painter, a rich Planter, who had as little Reason as the former, to be the General's Enemy, and a great deal less Courage, in his sober Intervals, to attempt any dangerous Enterprize; but espous'd the Faction chiefly for good Fellowship, and the vain Ambition of being reputed one of the Patriots (as they styl'd themselves) of their Country: With these, in the several Divisions, march'd all the Assembly-Men, and surrounded the General's House.

Notwithstanding their near Approach, the General's Directions to the handful of Men he had with him, were fo strict, that none of them fir'd 'till one of them receiv'd a Wound by a Shot from Piggot's Party from Church-Hill, (an Eminence that commanded the House) where the General had order'd a Serjeant and fix Men to be posted, with Orders to maintain that Post against the Rebels, but in case of their advancing upon them, to fire at them, and retreat, which he, at the Head of a few he had left, would cover: But it unfortunately happen'd that the Serjeant and Men too were of Capt. Fofeph Rookeby's Company, and on the Approach of the Rebels, either through Bribery or Fear of their Captain, laid down their Arms, and deserted the General.

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The Fear of their Captain is mention'd because he himself had that Morning not only refus'd to head his Men, according to his Duty, and the General's Commands, but also forbad his Men, at their Peril, to fire or oppose the Country: For this he was fent Home by the fucceeding Governor, try'd and broke by a Court of General Officers here; but by the late Miniftry admitted on the Half-pay Establishment, by a special Warrant to that Purpose obtain'd for him from the Queen, wherein it is mention'd to be for his faithful Services. 'Tis strange he did not make them appear on his Tryal to his Judges, who were Men of Honour, and would not omit doing him the Justice of a fair Representation of them.

The Rebels thus posses'd of so advantageous a Post, where they were under Covert of old Houses, large Trees, Rocks, and Shrubs, began to fire upon the General from that Side, as Painter's Party, secur'd by a Trench, did from the other Side, both in a manner invisible to the General, and he and all his Men wholly expos'd to them. However, the Fire was as briskly return'd of his Side; but it could not be expected that so few as he had with him, could long oppose so great a Number; and having discharg'd one Field-piece, loaden with round and partridge

tridge Shot, which through their Situation did no Execution, it was not long before they got into the House. Most of the Soldiers and others on the General's Side, being either kill'd, wounded, or deferted, he makes a personal Defence; and tho' there was no Hopes of Safety, yet he shews an undaunted Resolution; the Ringleader of the Rebels (Capt. Piggot) falls by his Hands, and when he had scarce a Second left, he bravely withstood and gave Defiance to the whole Strength of the Rebels, 'till at last (for Power must overcome) he receiv'd a Shot in his Thigh, which, tho' his Surgeon thought not mortal, difabled him, and he is fallen into his Enemies Hands.

They have now an Opportunity of convincing the World of the Sincerity of their pretended Intentions of the Good of the Publick, and may fend him off, were that their Design, to what Place, and in what Man ner they think sit; but instead thereof, they use him with the utmost Contemptated Inhumanity; reproachful Language was not sufficient Demonstration of their Indignations against him, they strip him of his Cloaths, and tear his Shirt from his Body, the Wrists and Neck Bands only remaining: They kick, spurn at, and beat him with the Butts of their Muskets, by which Means, at last, they

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break his Back: They drag him out into the Street by a Leg or an Arm, and his Head trails and beats from Step to Step of the Stone Stairs at the Entrance of his House, and he is drag'd naked on the coarse, gravelly, and stiff clayey Street, which rak'd the Skin from his Bones.

Those Cruelties and Tortures force Tears from his Eyes, and in this Condition is he left expiring, expos'd to the scorching Sun, out of the Heat of which he begs to be remov'd; the good-natur'd Woman who, at his Request, brought him Water to quench his Thirst, is threaten'd by one Samuel Watkins, to have a Sword sheath'd in her Guts for her Humanity, and the Water is dash'd out of her Hands; he is infulted and revil'd by * every Scoundrel, in the Agonies of Death, but makes no other Return, than these mild Expressions. "Gentlemen, if you have no Sense " of Honour left, pray have some of Hu-" manity." He gratefully owns the Kindness of his Friends, and prays God to reward those who stood by him that Day; at last he is remov'd into the House of one Mr. John Wright, pretty near the Place where he lay, and there recommending his Soul to God with some pious Ejacu-

^{*} Andrew Murray, Francis Carlisle, John Painter, John Tomlinson, &

Ejaculations, he pays the great Debt of Nature, and Death, less cruel than his Enemies, puts a Period to his Pains and

Sufferings.

Thus dy'd Col. Parke, whose brave End shews him sufficiently deserving the Commission which he bore, and by his triumphant Death, acquir'd an Honour to his Memory; which ought to be otherwise paid, than by the base Aspersions thrown upon it by his Enemies, and so readily given into by some, who ought rather judicially to examine Facts, and represent them, than take Reports on the Hearsay of Parties much interested to blacken and desame him.

Three or four Days pass'd before they would admit his Burial in the Church, (a long Time in that hot Country) and their Malice carry'd them fo far, as to pull down the very Pew wherein he usually fat, tho' it was erected at the Publick Charge for all their Generals. Col. Teamans, (the Lieutenant-Governor) with Col. John Hamilton, and Col. Thomas Morris, the most loyal and worthy of the Council, were highly infulted, and threaten'd to be murther'd in the Street, for disswading the Rebels from the Action, before they went upon it, and advising them to Moderation and Calmness, after it was over; when they ran like furious Madmen thro' the Streets, threatening to fet Fire to all the General's and his Friends Houses in the Town; which 'tis thought they would have effected, but that the Burning of those must have inevitably laid their own in Ashes.

Of the Queen's Forces with the General, Enfign Lyndon, and about twelve or fourteen Soldiers, were kill'd, and Col. Newell, and Lieutenant Worthington, with about five or fix and twenty Men, wounded; and of the few Friends * he had with him, not one escap'd unhurt, tho' they fuffer'd most after Quarter was promis'd them: Mr. Michael Ayon, (for Instance) after he had deliver'd up his Sword, was shot through the Body by one Archibald Cockran, and Mr. George French, lying in his Gore of some Wounds he had before receiv'd, was shot in his Mouth; of which Wounds they both recover'd, to the great Wonder and Surprize of all that faw them : And Capt. Boileau, receiv'd a Shot, of which he foon after dy'd: Mr. Pember, Rosengrave, Bonnine, and Gateward, receiv'd feveral Blows and fore Bruises; of which the last (tho'

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^{*} He had a great many, and those of the best Families and Estates on the Island; but living at a Distance from the Town, and his Enemies arriving at that Pitch of Wickedness altogether unexpectedly, was the Reason he was so surprized, and had no more with him; their Names you may see at the End of this Book.

known to have accidentally been with the General, upon some Chancery Affair which he came about that Morning, as he was an old decriped Man, unfit for any Military Service) complain'd to his dying Hour, and attributed his Death, which happen'd soon after, to the Usage he receiv'd that Day. Of the Rebels were kill'd but four, viz. Capt. Piggot, Mr. Thomas Toung, Mr. Gervace Turton, and one Rayne, a Carpenter, and about thirty wounded.

After they had thus surfeited themselves with Cruelties, they fall to plundering the General's House, and then
break open his Store-houses, which they
likewise rise: So that his Estate must
have suffer'd by that Day, in Money, Plate,
Jewels, Cloaths, Linnen, Houshold-Goods,
and Furniture, Wares and Merchandize,
at the most moderate Computation, sive
thousand Pounds Sterling: For which
his Executors have obtain'd no Satisfaction
to this Day.

Their Fury being now spent, having nothing to exercise it upon, three or sour of them go to Nevis, to give Lieunant-General Walter Hamilton an Account of what happen'd, and invite him to their Island: Who, instead of shewing any Abhorrence of the Action, receiv'd the Messengers with joyful open Arms, and ma-

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king but very little Stay, came in the fame Vessel with them to Antegoa; tho' he well knew every one of them to have been all along violent Party-Men against General Parke, and now to have wash'd their Hands in his Blood.

On his Arrival there, he was met at his Landing and welcom'd by a large Body of the chiefest Rebels, but is so far from refenting in any wife the Rebellion they had just been in, and the Blood they had fpilt, which was scarce cold, that he accepted their Complements, and shew'd them distinguishing Marks of his Affection; took up his Residence at the House of one Daniel Mackennen, one of the most criminal; and made all his Visits amongst them, continu'd them in their Posts of Honour and Profit, fuffer'd the same Assembly to sit upon Business, and if ever he made mention of Col. Parke's Name, (*OIngratitude!) it was with Reproach and Contempt; whereas he always express'd himself with the greatest Tenderness and Compassion, of the Rebels, and took no manner of Notice of the Friends of the Government, (who were always loyal, and abhor'd fuch a barbarous Crime, and unheard-of Cruelty) un-

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^{*} General Parke made him Lieutenant-Governor of Nevis, and thereby put him in the Way of Preferment, or else he might have remain'd in his Obscurity to this Day; and so well is he rewarded for it!

less it were to brow-beat and discountenance them.

It's true, he call'd a General Council and Assembly, under Pretence of examining into that Affair, but was fo far from an impartial Inquiry into it, that he difcourag'd, as much as in him lay, all those that went about to do it; admitted four of the most flagrant Offenders, chose for Antegoa, to fit as Members of that General Affembly, and appointed the Meeting to be at that Island; to which the Nevis Members refus'd to come, and several others feeing the partial Proceedings, refus'd to act; fo that the Intent of calling fo many Gentlemen together from feveral Islands, feem'd to be, in a more folemn Manner, to give Sanction, and beget the more Credit, to an Address he promoted to be drawn up, in the Nature of a Reprefentation of the Action, to her Majesty; which he influenc'd the Council to fign, by making it his Request, and fending it by the Marshal to their Houses; but it so excus'd and palliated the Matter, that it contain'd not a tenth Part of the Truth, and for that Reason was refus'd by Col. John Hamilton, before-mention'd; and was accepted and fign'd by feveral others, as they fince declar'd, for Peace and Quietness sake, and Fear of Insults from the Rebels.

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To prevent the ill Impression that Address might have made on People here. (where without doubt it was industriously handed about) and in some measure to fet forth the hard Cafe of fuffering Loyalty under that Administration, it was necessary to come thus far into Mr. Hamilton's Conduct, however wide it may feem from the Scope and Defign of thefe Sheets, but a proper Opportunity may offer it felf for making that, and General Douglas's Administration, a Subject of farther Entertainment for the Publick: He has now the Regiment entirely of his Side, from the Colonel, to a private Man; his Influence is strong upon their Affairs here at Home, as well as Abroad; feveral of those who have actually been in Arms, in the Rebellion of the 7th of December 1710, or have been violent Party-Men and Abettors thereof, have fince got Commissions in it; whereof the present * Speaker of the Assembly of Antegoa is one; his Creatures of that Stamp are daily procur'd to be of the Council of that Island; and how the Loyalists are like to fare under so much Power and Inclination to oppress them on all Hands, can very naturally be suppos'd from the Discouragements they bave labour'd under, as may be feen in the following Address,

^{*} Capt. George Lucas.

To the Queen's most Excellent Majesty.

The humble Address of * some of your Loyal Subjects, Inhabitants of the Island of AN-TEGOA.

Most Gracious Sovereign,

A Few of your Majesty's dejected, but I loyal Subjects of this Island, privately meeting together, do by this our most humble Address, lay our Selves proftrate at your royal Feet for Protection of Lives and Interests, for adhering to that late loyal Gentleman, Col. Parke, your Majesty's chief Governor of the Leeward Charibbee Islands, who was murther'd in his own House, with several others that were with him, in a most barbarous Manner, on Thursday the seventh of December last; the Particulars of which will be laid before your Majesty, being such as were never paral-'lel'd even amongst Heathens, much less amongst Christians, who style themfelves Protestants.

Our Lives, Great Queen! are so much in Danger, that we dare not trust the Acquaintance of this our Address, even with our Friends, who detest that barbarous Action, and would willingly join us in this Matter; for that the Diligence of our Enemies

Fortunes and Reputations as any on the Island.

mies is fuch as nothing * fcarcely can pass their Knowledge: And the Attempt to discover to your Majesty the Truth of

' that Affair, would be of fatal Confequence to us your Majesty's Supplicants.

The Measures they now take to excuse this Action, are such as are as barbarous as the former, by blackening the Ho-' nour and Character of that truly loyal

' Person, to your Majesty.

· To effect which, they invent new Ways of imposing on the World, what was never intended, and have fo far ' gain'd their Ends, as to gain, by Artifices of Threats and Promises, an Address to be fign'd by all the Councellors of this 'Island, (Col. John Hamilton excepted) wherein the Truth of that abominable Action is wholly hid: At which Meet-'ing was permitted to fit in Council, two ' certain Gentlemen, one of which did not 'appear there fince the late General's 'coming to the Government, and the other for above two Years before he was 'murther'd; yet both fign'd the Address before-mention'd, and we doubt not but 'your Majesty, by your penetrating Judgment, will easily see through the Veil drawn over that bloody Scene. We

^{*} This is so true, that they were oblig'd to bury even this Address, to keep it from falling into the Rebels Hands, upon some Intelligence they had of it.

"We farther humbly presume to ac-

Truth of this Matter, in all its Circumflances, as its Rife, Progress, and fatal

Catastrophe of the late General, is laid

'before you, your Majesty will approve of his Conduct, commiserate his End,

and be surprized to find you have such

People to your Subjects.

May the great God of Heaven, who has hitherto preserv'd you from all Dangers, privy Conspiracies, and Rebellions, ever continue his Protection to your

'most facred Majesty, and be your Sup-'port in all your Undertakings, for the 'Good and Welfare of his Church and

People, of which you are supream Head

'and Governor: Which is, and shall al-

ways be, the hearty Prayer of,

May it please your Majesty,
Your Majesty's
Most dutiful, loyal, and obedient
Subjects and Servants.

John Hamilton,
Joseph French,
William Matthew,
Richard Buckeridge,
John Brett,
Isaac Royal,

John Wickham,
Jeremiah Blizard,
John Roe,
Casar Rodeney,
John Haddon,
Thomas Turnor.

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As by the foregoing was only intended to fet Matters of Fact in a clear Light, to the View of the Publick, and neither to acquit or condemn the late Col. Parke's Actions, otherwise than by the nicest Scrutiny for the Truth, the following Articles of Complaint, where the whole Charge of his Adversaries is summ'd up, and fet forth in the most black Characters. and aggravating Circumstances they could think of, who put their Names to them; many of whom rather examin'd into the Heinousness of the Crimes, than the Reality of them; and more, who examin'd neither, but depended on the Honesty of those Gentlemen who pretended to stand in Vindication of those never-failing Baits of Liberty and Property: These Articles, I fay, and the General's Answers to each of them, with the Proceedings of a General Council, and General Assembly, held at St. Christopher's, are thought proper to be here at large fet forth, and without any Observations upon them, are submitted to the unbyass'd and impartial Judgment of the candid Reader, to make his own Reflections, and I entreat his Patience for the two following Addresses from the Islands of Nevis and St. Christopher's, which, without doing an Injury to their Innocence of this horrid Guilt, and

the Worth and Honour of the Persons figning them, cannot here be omitted.

NEVIS.

To the Queen's most Excellent Majesty.

The humble Address of the Honourable Daniel Smyth, Efg; President, and the Council and Assembly of this Island, in behalf of themselves and the other Inhabitants of the same.

May it please your Majesty,

7 E your Majesty's most dutiful V and loyal Subjects, being deeply fensible of the late unlawful and violent Proceedings of some of your Ma-' jesty's Subjects in the Island of Antegoa, even to the Murther of your Majesty's 'late Captain-General and Commander in 'Chief, Daniel Parke, Esq; and several others of your Majesty's Subjects of that Island, occasion'd (as they fay) by the ' faid Captain-General's Male-Administration there; and being highly concern'd thereat, lest your Majesty's Resentments of fo great a Miscarriage, (being under one chief Governor) should reach us ' that are wholly innocent thereof; we do with all Humility declare our utmost 'Abhorrence and Detestation of that hei-' nous Crime, and of all violent Proceedings, Murders, and Rebellions; and do most humbly assure your Majesty, that, as

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as we never made any publick Complaint 'against his said late Excellency, so we were in no wife or manner whatfoever 'accessary thereto, or concern'd therein, neither by abetting or encouraging them, or any of them, nor by Connivence, but 'calling to Mind the Glories of your Majesty's happy Reign, your mild Government, and Tenderness to your People, ' did receive the Account given of it, with the greatest Horror, Sorrow, and Amaze-'ment: Wherefore we beg Leave to be-' feech your most gracious Majesty, that your just Resentments may not affect us, who are truly and fincerely innocent; but that we may have the happy Influences of your gracious Protection and 'Government continu'd to us and our Po-'sterity, in the same Manner as we have 'hitherto enjoy'd it.

Richard Abbot, John Bevon, Azariah Pinney, Laurence Broadbelt, John Norwood, John Richardson, Michael Smith, Robert Ellis, Charles Bridgewater. Roger Pemberton,

Daniel Smyth, Prefid. Fa. Symonds, Speaker, Samuel Gardiner. Fohn Butler. John Horn, Thomas Minor, Richard Broadbelt, Solomon Ifrael, John Smith, Thomas Bridgewater, Michael Williams.

St. CHRISTOPHER'S.

To the Queen's most Excellent Majesty.

The humble Address of the Lieutenant-Governor and Council of that Island.

In the deepest Sense of Duty and Loyalty, we humbly beg Leave to lay before your Majesty our utter Abhorrence and Detestation of the execrable Murther of your late General, Daniel Parke,

'Esq; in the Island of Antegoa.

'We cannot but be sensible, that when your Majesty is let into the true State of that tragical Scene, upon full Examination, and by the Oaths of impartial Gentlemen, who were upon that Island when the Fact was perpetrated, the many Cruelties attending that bloody Assassing Assassing Assassing the Displeasure.

'We therefore look upon our Selves oblig'd, both in Duty as good Subjects, and in Conscience as Christians, to give your Majesty this Assurance, that we neither had the least Knowledge of, nor any Hand in that inhuman, unjustifiable Action.

'As we are conscious of our own Innocence, in all Humility we presume to implore 'implore your most facred Majesty, that we may not fall under that your Royal Displeasure, nor be made Sufferers for their Crimes, by retrenching those Priviledges we now happily enjoy under the Crown: And, as in Duty bound, we shall ever pray for the long Continuance of your most facred Majesty's glorious Reign over your loyal Subjects, and triumphant Successes against all your Enemies.

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Michael Lambert,
Henry Burrel,
J. Panton,
Francis Phipps,
J. Peteres,
J. Bourryeau,
Joseph Estridge.

These Addresses being offer'd to Lieutenant-General Hamilton, then Commander in Chief, for his Concurrence with, and joining in them, on his Arrival at Newis and St. Christopher's, after the breaking up of the General Council and Assembly at Antegoa, he not only refus'd to sign, but reprov'd those that did, telling them angrily, That they medled with what did not belong to them, and what they had no Business with; which, however, did not hinder the Gentlemen from sending them away without him.

From

From the Sense all the World, as well as these two Islands, must have of the Barbarity of the Crime, it might be expected, that the Persons concern'd in it, should, upon ferious Thoughts, be struck with a Remorfe, and fhew some Sorrow for what they had done; but to the contrary, they appear to be harden'd in Iniquity, and, instead of repenting, glory in the Action, and daily vindicate it, even by new Murthers and Infults of fuch as declare it to be unjustifiable, and express their Abhorrence of it. Instances of this kind are not wanting, and Col. Nervell's base Murther, on the same Account, by three * Persons who affaulted him on the high Road, is fresh in every one's Memory; but + one of them taking it wholly upon himself, tho' declar'd by the Gentleman, on his Death-Bed, to have been the most innocent, receiv'd his Tryal, and was acquitted. Capt. Charles Cook was likewife murther'd on the high Road, by one John Mobson, who attack'd him on the like Quarrel: And the ill Usages given on this Occasion, were too many here to infert, tho' the Authors of both escap'd with Impunity.

And as no Examples of Justice have been as yet made, nor (is likely) ever will,

Lieut. Col. Val. Morris.

^{*} Lieut. Col. Val. Morris, Capt. Cunningfby Norbury, Capt. Tobias Lifle.

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will, to deter them from fuch audacious Attempts on the Soveraignty of the Crown of Great Britain, or from committing such Wickedness for the future, 'tis hop'd it will not be unacceptable to the Reader, to be here entertain'd with a brief Account of Henry Smyth's Tryal in Westminster-Hall, being the only Person ever try'd for this Fact: Which may partly fatisfy the Curious in their Enquiries, why none have fuffer'd: And by the Lift of their Names immediately following that Account, those Persons are transmitted to Posterity, who have been the chief Promoters of, and Actors in, this horrid Scene of Murther and Rebellion; for if People were not frighten'd from fuch Villanies by fome Mark of Infamy, and the certain Refentment of Mankind, few Princes, I am afraid, and it may be suppos'd much fewer Ministers, would live out half their Days, but some Desperado giddy Mob, would Villars, De Witte, or Parke them, for performing the Duties of their high Functions, fo as it may happen not to fuit with the Defires or Prejudices of particular Persons.

Tuesday June the 28th, 1715, Henry Smyth was brought to his Tryal at the King's-Bench Bar in Westminster-Hall, before the Lord Chief Justice Parker, and the rest of the Judges of that Court.

The

The Jury were as follows.

Sir Thomas Halton, of the Parish of St. Mary Islington, Bart.

Alexander Pitfeild, of the Parish of St.

Leonard's Shoredith, Efq;

Joseph Jury, of Mile-End, Esq;

Richard Brown, of the Parish of St. Mary Islington, Esq;

Matthew Halworthy, of the Parish of St.

John Hackney, Efq;

Daniel Dollins, of the same Parish, Esq; Alexander Ward, of the Parish of St. An-

drew Holborn, Esq;

William Northey, of Hackney, Efq; John Elwick, of Mile-End, Efq; Henry Emmet, of Hackney, Efq; John Furness, of Spittle-fields, Gent. James Williamson, of Edmunton, Gent.

The following Gentlemen he challeng'd.

Thomas Ryalton, of the Parish of St. Margaret's Westminster, Esq;

John Fuller, of the Parish of St. James's

Clerkenwell, Efq;

Peter Levigne, of Kensington, Esq; Thomas Lee, of Kensington, Esq;

Sherman Godfrye, of the Parish of St. Paul Shadwell, Esq;

Nehemias Lyde, of Hackney, Esq;

Thomas

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Thomas Sutton, of Kensington, Esq; Giles Ridle, of the Parish of St. Giles in the Fields, Gent.

Samuel Paul, of the Parish of St. Mar-

garet Westminster, Gent.

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Henry Trent, of the same Parish, Gent. Thomas Miller, of Spittle-fields, Gent. Samuel Hanscot, of the same, Gent. John Lekenox, of the same, Gent.

The said Smyth was sent from Antegoa by General Douglas, charg'd with Rebellion and Murder of Col. Parke, the late chief Governor: He was committed for High-Treason by the Earl of Dartmouth, then principal Secretary of State; and the Treason specify'd in his Warrant of Commitment, was, a levying War against her Majesty in the Island of Antegoa. Pursuant to which Commitment, he was indicted for High-Treason, and levying War against her Majesty in the Island of Antegoa, and murdering Col. Parke, the chief Governor.

To which, he pleaded a general Pardon granted by General Douglas, the fucceeding Governor, of all Treasons, Misprision of Treasons, &c. but this Pardon being produc'd, appear'd to be subsequent to his Commitment. And out of it were excepted all such Persons as were in Custody, in order to be prosecuted for G

the Murder aforesaid, at the Time of issuing forth the said Pardon; and thereupon the said Smyth averr'd, That he was not in Custody, in order to be prosecuted for the Murder of the said General Parke, at the Time of issuing the said Proclamation of Pardon, and pleaded

over, Not Guilty.

Which two Issues being try'd, the Sum of the Evidence, to prove the general Issue, was, That the Prisoner at the Bar was feen in the Morning of the 10th of December 1710, (on which that treasonable Action was committed) in the Market-Place, in the Town of St. John's, in the faid Island, where a Number of People were affembled together in Arms, in a white Wastcoat, with a Belt about his Waste, whereon hung a Catridge-Box, and a Sword by his Side; and that there were a great many Guns grounded, and laid together in a Heap against the Stocks, in the Market-Place, where this Witness did not doubt, but the faid Smyth's Gun lay amongst the rest; and moreover declar'd, That it was after a Proclamation was iffu'd by the General, and read in the faid Market-Place by the Marshal, requiring all Persons then assembled, or that should that Day affemble themselves together in Arms, to disperse themselves, and repair to their feveral and respective Homes Homes and Habitations, or else they should be deem'd Rebels, and treated ac-

cordingly.

Another Witness declar'd, That when the Multitude divided themselves into two Bodies, and march'd by two several Ways to attack the General's House, the Prifoner march'd up, arm'd with Sword, Gun, and Catridge-Box, amongst the rest of the Rebels that form'd the Division commanded by Captain Piggot, to the Hill, from whence the first Fire was made against the General.

A third declar'd, He had met the Prifoner at the Bar coming up to the General's House, another Way, with a Gun, in some short While after the Heat of the Action was over, when he (the said Witness) was carry'd away wounded from

the House.

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And all the Witnesses declar'd, That several Times afterwards, they heard him (the Prisoner at the Bar) say, in Discourse about this Matter, That he was in the Action; and if it were to be done again, he would do it; and if possible, go twenty Miles on his Head to do it: And if it were not for him and some few others, the Work would never have been done: For that the cowardly Dogs of Planters would run away, and had not Courage to do the Business.

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As to the special Issue, viz. Whether the Prisoner at the Bar was in Custody, in order to be prosecuted for the Marder of General Parke, at the Time of iffuing the Proclamation of Pardon; first, the Lord Dartmouth's Hand and Seal to the Commitment was prov'd, which bore Date the 18th of November 1711, and the Pardon was dated the 6th of February following. And the Officer, to whose Custody hewas committed, swore positively, he receiv'd him the next Day after the Date of the faid Commitment, viz. the 19th of November 1711; fo that it plainly appear'd he was in Custody for High-Treason committed in Antegoa, in levying War against her Majesty, before the faid 6th of February 1711, on which the faid Pardon was issu'd; and (as by the faid Officer's Oath) it appear'd, that he continu'd Prisoner, and was in Custody, by Virtue of that Commitment, from the faid 19th of November 1711, to the --Day of June following, when he was, by Orders from the Secretary of State, admitted to Bail, and Bail was taken accordingly.

The next Thing to be try'd, was, whether the High-Treason for which he was committed, was the Murder of Col. Parke; the said Murder not being expressly men-

tion'd in the faid Commitment.

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In order to prove this, as well as any other Matter necessary to be prov'd, Mr. A- G- ought to have come prepar'd; but instead of so being, had little to fay to the Matter, but fent then out of Court to Mr. Lewis, who was under Secretary to the Lord Dartmouth, to enquire of him about the Informations on which the Lord Dartmouth granted that Warrant of Commitment who returning for Answer, That he remember'd nothing of them. Mrs. Pepper (Col. Parke's Sifter) being in Court, offer'd to depose upon Oath, That it was upon her Application to the Lord Dartmouth, that the Prisoner at the Bar was committed for the Murder of her Brother.

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The Counsel for the Prisoner objected against that, because, by the legal Course of Evidence, the Information upon which the Warrant was made, (which ought to be, and 'tis prefum'd was in Writing) ought to have been produc'd, which would have been proper Evidence of that Matter, or else an Affidavit made, that there had been diligent Search made for it in the Office, and that it could not be found, or that there never was any in Writing; and then Mrs. Pepper's, or any other Evidence to prove it the same Treafon excepted out of the Pardon, would have been admitted, The Judges were of this

this Opinion, and Mr. A—— G——having no such Assidavit, whether there was or was not an Information in Writing; and that on Search made, none could be found. There was not sufficient Proof of the special Issue, and the Lord Chief Justice, in his Charge to the Jury, telling them, that it was no Matter how they found the general Issue, they brought him in not guilty on both.

Daniel Mackennen, Samuel Watkins, and Thomas Kerby, were also committed to Newgate, and indicted for the same High-Treason; but pleading the aforesaid general Pardon, were discharg'd without

any Tryal.

The Beginners and Fomenters of the Faction which broke out in Rebellion and Murder of their chief Governor, were,

Gol, Christ. Codrington Samuel Watkins
Barry Tankard Nath. Crump
William Thomas Dan. Mac Kennen
Edward Perry Will. Nevin
The Rev. Mr. James
Field, Clerk

been admitted. The la

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The following, were the Members of the Assembly for the Island of Antegon, in the Year 1710, all deeply concern'd, and leading Men in the Rebellion and Gen. Parke's Murder.

Capt. John Piggot Capt. John Paynter Dan. Mac Kennen Sam. Watkins Nath. Crump, Speaker Sam. Frye Tho. Williams Arch. Cochran Facob Morgan Edw. Chefter, Sen. Will. Glanvill Francis Carlifle

John Tomlinson Isaac Horsefoot Sam. Phillips John Frye Fobn Gamble Will. Hamilton John Kerr, Jun, Will. Pearn John Elliot Fames Barter

The following Persons were the Chief of the Rebels, or Assassins.

John Otto-Byar John Kerr, Sen. John Burton Tho. Kerby Tho. Trant Fosbua Fones Humph. Ofbourn Will. Lavington Baptist Looby John King

Foscolo Adams Peter Adams Edward Chefter, Jun. Richard Smith John Martin Richard Sheerwood Barthol. Sander son Patrick West Facob Thibou John Howfe Obadiah

Obadiah Bradshaw William Pike Samuel Meares Fobn Rose Thomas Bate Cornelius Halleran Thomas Tanner Richard Daniel John Parkes John Combes Facob La Boux Charles Dunbar Mark Monk Charles Lloyd John Nanton Will. Moles Isaac Wharfe --- Bromel Laur. Scannell David Scannell Fohn Bradeson William Dikes William Masters Anthony Brown Robert Christian facob Fletcher John Codner Henry Smyth Henry Blizard Theodorus Godett Andrew Murray Feremiah Brown

Fames Parkes Giles Wattkins Edward Horne Edward Horne, Jun. Gervace Turton Rich. Denbow Thomas Young Robert Gamble Feffry Duncombe Will. Grantham Fohn Lavicount Peter Lavicount Fobn Russel John Portlock John Englefeild Will. Fenton Fohn Hill Fonath. Hill David Kidd William Whitle Foseph Bedbead Gilbert Garrett Anthony Garrett Garrett Garrett Fohn Brunkburst Rich. Soanes John Sweetenham Fobn Mobson Fobn Bezoone John Bezoone, Jun. Owen Mac Carty John Marchant Darby

Darby Newgent Edward Newgent Facob Fletcher John Waterfall Philip Trant Will. Chapman Philip Darby Richard Baker Fobn Codner John Power Ambrose Tork David Maine Will. Hughes --- Sedgeworth Francis Shadbourn John Colston Fames Hanson Will. Sheares John Stephens Matthew Liddy Richard Richards Simon Ervin John Drillinvaux Thomas Pullen William Hynde Fames Hand Fames Sinegat Clement Laniere

Peter Volard Fohn Newman Foseph Gale Patrick Cunningham Thomas Scott Alexander Blake Anthony Billingburst John Mobson Samuel Walker Richard Peck Thomas Pullen William Merryday John Strong Nicholas Trant Robert Dunning Matthew Andrews Will. Vickers Henry Dunstane Matthew Wilkinson Thomas Mattheres Fohn Rayne Anderton David Nevin Fames Low Leonard Edwards Feremiah Nibbs Bernard Horsham.

ARTICLES

OF

COMPLAINT

Exhibited against

DANIEL PARKE, Esq;

Late Captain-General and Commander in Chief in and over all her Majesty's Leeward Carribbee-Islands in America; with his ANSWERS respectively to each ARTICLE.

ARTICLE I,

THAT the said Colonel Parke, present Governor, soon after his Arrival in this her Majesty's Island of Antegoa, (to pave the Way for Injustice, Oppression, Tyranny, and other his Male-Administration) did frequently and publickly declare, That he had Assurance from my Lord High-Treasurer of Eng-

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England, and the Dutchess of Marlborough, that he should be supported and protected, let him do what he would; which rais'd the just Indignation of all Persons of Sense and Penetration, that two such Persons of Quality and considerable Figure in the Administration, and near Relation to her Majesty's Service, should be so scandalously traduc'd; and that with no other Designs, but to awe every Person under his Government into the utmost tame and servile Submission to whatever he should do.

ANSWER I.

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The first Article is a Specimen of the rest, and is fill'd with frightful Epithets: Tyranny and Oppression are charg'd on me at once. The Way to which, they say I pav'd by scandalously traducing two Persons of the highest Quality and considerable Figure in the Administration, which rais'd the just Indignation of all Persons of Sense and Penetration; whereby, if they mean themselves, and would have People believe that they had any Pretence to that Character, they should have shewn how so foolish a Story could pave the Way to such scandalous Practices, and what Advantage, affronting two such illustrious Persons, could be to me in my Delign.

But as there is nothing these People are not capable of attempting, the high Regard I alI always mention'd those Names with, * made them apprehend I hop'd for their Favour, while I did nothing unworthy of it.

They therefore begin their Articles with pretending I affronted them, thereby to de-

prive me of their Protection.

Besides, it ill agrees with their Penetration, to be impos'd on by any Thing so ridiculous; which, since they all conceiv'd great Indignation at, I can't imagine whom I could awe thereby, into a most tame and servile Submission: For if they did not believe it, they stand convicted of Falshood; for then it could by no Means over-awe them; and if they did believe it, it so exposes their Stupidity, that the House of † Fools is sitter for them, than the least Pretence to Sense and Penetration.

However, they are positive I have publickly and frequently made such Declarations; which, if true, as it is in it self void of common Sense, and what none but an Idiot could be guilty of, I am almost asham'd to give them a serious Answer to, or to observe, that these frequent publick Declarations, not a Gentleman of the Council * ever heard me once to make, or any Thing like it, tho some of them are generally with me, as appears by their Answer; and which alone is enough to destroy so wild an Accusation.

But

^{*} See the Council's Answer to this Article.

[†] In Amsterdam there is a House for Idiots. * See the Council's Answer to the Article,

But they having since taken Depositions to support their Articles, I am oblig'd to observe, (instead of a Train of Evidence to support an Article that stands in so much Need of it, to be credited) they muster up but one who pretends he ever heard it; and he goes but half the Article, and mentions but one of those great Persons whom they so honourably link together; and he is a Wretch too low for my Conversation, whose Character in the Interrogatories prepar'd for him, would have been expos'd, if he had not avoided'em by slipping off the Island.

Another, indeed, tells you something of such a Story; a Creature still meaner and baser than the other, but he reports only on Hearsay, and says one that is dead told him so; and which, in all Probability, he never reported, 'till the Gentleman was past con-

tradicting bim.

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Mr. Watkins's Deposition, and the Interrogatory, No. 116, put to Col. George Gamble, are, I suppose, design'd to strengthen the Charge which they had so little Pretence for; but as the first is rather a Compliment to me, than otherwise, and the last very wide from their Article, and what, if true, is no Fault, and no Ways either names, or can be suppos'd to relate to those great Personages; the Mention of whom, gave them such Indignation

[†] John Barnes.

dignation to beget such an Article, I shall trouble my self no farther about it only ask them,

Since they stand convicted of wilful Lying in the Beginning of their Articles, by having no Pretence to say I have publickly and frequently made such Declarations, when they bring but one Witness (and he eminent for swearing at Randum) that will pretend to attest any Thing like it; whether they do not give the World just Reason to suspect the rest of their consident Assertions to be equally false and infamous?

ARTICLE II.

That he did menace and otherwise endeavour to scare, frighten, and discourage Witnesses from testifying the Truth in the Case of Edward Chester, Sen. of the Town of St. John's, Merchant, then under Profecution for the Death of one Thomas Sawyer; and that because their Testimonies tended clearly to prove, that the faid Sawyer dy'd a natural Death: And that he did likewife attempt, by his Presence, and all the Artifices he was Master of, to determine and oblige the Coroner's Inquest to find, that the faid Sawyer dy'd by a Blow upon his Head with a Tankard, given to him by the faid Chester, and that contrary to a Train of the clearest Evidences imaginable : And that he did threaten and ill-use the Justices who bail'd the faid Chester, tho' done after it was found by the Coroner's Inquest,

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1t, quest, that the said Sawyer dy'd a natural Death; and did immediately turn out the Deputy Provost-Marshal, for shewing the said Chester some common Civilities. And all this at a Time when the General had vow'd and threaten'd the Ruin of the said Chester, upon the most groundless Displeasure conceiv'd against the said Chester.

ANSWER II.

The second Article is so clearly answer'd by the Council of the Island, there is little worth Observation in it, but the full Tide of Malice and Ingratitude that runs throit; the Charge is no less than thirsting after innocent Blood; which (long after) the Gentlemen of the Council are so little conscious of. They confess they agreed to what I did, and think no more than my Duty; and if the Case had not appear'd very plain to them, they would much rather have wash'd their Hands, than hore a Share of this imputed Gilt.

Several People swore, indeed, very freely for this Gentleman; but I had lately so strong a Proof of their Inclination to bring off their Country-men, they having clear'd Mr. Poxton of the barbarous Murder of Col. Johnson, who had been their chief Governor; for which, her Majesty directed, that he should have no Employment for ever in the Island. That it appear'd plainly my Duty.

to be very careful that none of the Sujects of the Queen, my Mistress, might be murder'd

with Impunity.

But all my Care has been insufficient; two Gentlemen eminent for the Inoffensiveness of their Conversation, having since been barbarously kill'd; but the fury of Inquest would not bring in who kill'd them, tho' it was notorious to the whole Island; but by thus bringing off one another, they laugh at the Laws, despise its Penalties, and do any Wickedness they are inclin'd to.

And when I add to that the certain Information I received, that a Jury regularly chofen, were dismissed, to chuse another that were Friends to the Person charged with the Murder, I had double Reason to be cautious; for if there was so clear a Train of Evidences for him, as they say he had, what Occasion was there for that Precaution, or to summon a Jury perfectly dependant * on him.

The Coroner also, as well as several other Persons, thought him guilty †; whose Depositions I have, as well as some others of the same Opinion; but it has since appear'd, this Gentleman, who would seem thus wrong'd, purchas'd of the Coroner the seasonable Favour

of

Major Wickham, and Capt. William Macklemore.

^{*} Mr. Chester being Agent to the African Company, by which they were most of them in his Debt.

⁺ See the Depositions of John Wickham and Samuel Wickham.

of dismissing an impartial Jury, whose Verdiet he had so much Reason to apprehend.

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Were not these strong Grounds of Suspicion? And few Judges are arraign'd for the Phrases they express themselves in, to Men indicted for such Crimes; but there is nothing these People will not carp at; and the Pardon which I afterwards, on the Sollicitation of him and his Family, granted him, explains in this Case how sad a Fellow he is, and how strangely he swallows Lies, Oaths, and Inconsistencies; and the I shall frequently bave Occasion to talk with bim, (for he swears whatever he can imagine may prejudice me) 'tis here necessary to expose him, to pull out his Sting, that he may do no future Mischief. In his Deposition relating to this Article, be acknowledges be had call'd me scandatous Names in his ogen House; and that he own'd it to my Face for endeavouring, as he says, to take away his Life. What a fad Fellow is this, that will own be call'd a Chief Magistrate such Names as be bimfelf acknowledges to be scandalous, for doing bis Duty, and trying bim for a Murder, which he thought it wanth his While to bribe the Coroner to get a new Inquest, which he depended would not bring him in guilty of?

But he says I design'd to humble him, if the Blow he gave did not murder the Man, which I enquir'd into, but did not determine.

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He certainly had Reason to be humble on such strong Suspicion and Probabilities of his being guilty of an Action which I should never have given him a Pardon for, had it been evident.

But this ingrateful filly Fellow says, that I urg'd him to take his Pardon, that it might be in no Body's Power to injure him; and that 'twas but at last I prevail'd with him to accept it. Yet, in the next Breath, he says, I expected a Present, and endeavour'd to get some Nigroes of him.

Thus one Minute I force it on him, and the next I sell it to him: And 'tis very particular I should think he would give me a Bribe for what he could with Difficulty be

perswaded to take gratis.

Tet here he seems to have some Qualm on his Conscience, and does not stretch it so far as to say, I took any; but without that, there is a dreadful Load of Ingratitude and Perjury, for one Deposition. But he seems to think it not enough, without casting Reslections on a * Family which will be a Glory to the English Nation as long as we shall remain a People.

But what he says being inconfishent and ridiculous, and much of a Piece with the 58th Deposition, where he swears I would

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^{*} The Duke of Marlborough's and Lord Godolphin's, &c.

give him Bills on my Lord Treasurer for any Sum, if he would give me Half when paid, I shall adjourn any farther Debate with that mad Man, 'till I consider on that Head, having already said enough, join'd to the Depositions and the Answer of the Council, to wash my self clean of this.

ARTICLE III.

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That he commanded and endeavour'd to compel feveral Persons to give him an Account, and discover by what Title they held their Estates; and that by Ways and Methods not only unheard of but likewife abhorr'd in Law; and particularly he commanded Col. Christopher Codrington, by a Precept fign'd by the faid Col. Parke, immediately upon Sight, or Receipt of the faid Precept, to give him the faid General an Account how, and by what Authority, he the faid Codrington did hold the Island of Barbuda: Tho' the faid Codrington's Father and Uncle had been in the undisturb'd Possession of the said Island for five and twenty Years, and upwards, and claim'd the same by several Patents pass'd in due Form.

ANSWER III.

The third Article charges me with seeking after Mens Estates; and that, by Methods

⁺ See the Council's Answer to this Article.

unheard of; nay, abhorr'd by the Laws. Such hard Words are every Article cramm'd with; but the greatest Instance they can bring of it, is questioning Col. Codrington's Right to a whole Island, and his appointing

a Deputy-Governor there.

Which Island, by the Queen's Commission, I being chief Governor of, it had been a Neglect of Duty to her Majesty, if I had not enquir'd into her Right, and asserted it. After which, for the Sake of Peace, I proceeded no farther, than to enter it in Council, that the Lords of Trade might see it, and her Majesty be fudge of her own Title and Prerogative, and where it would have appear'd, they had never complain'd.

Thus they are not only angry for my Zeal for her Majesty and her Service, but very wisely complain of it to her: But these People are under the Fatality of eternal Lying, and as constantly being convicted of it: Their Charge runs in the Plural Number, as if it was a general Calamity; and they particularize only about Col. Codrington; and with bow little Reason, I have already

Thewn.

They have, in almost two Years, been able to muster up but one more, and that owns it was an Escheat, which being a known Perquisite to the Governors, I have, by the express Words of my Commission, as much Right to, as any of my Predecessors;

but this Man they bring for them, gives a Proof of my good Nature; that I not only gave him the Refusal, but would have sold it him for very little, which was more than I

was oblig'd to.

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But the compelling People to give Accounts, in a Manner not only unheard, but abhorr'd by the Law, gives a frightful Idea; and all that reads it, must believe I dragoon'd them, or by Force seiz'd on their Deeds, Records, or other Papers, that proves their Titles to their Estates; but their own Depositions clearing me from so vile a Charge, I shall only observe, that the next * Heir of Col. Christopher Codrington, who is now in Possession of that Island, acknowledges, in the Council's Answer to that Article, how far I am from being guilty of that Accusation.

ARTICLE IV.

That he has feveral Times employ'd Parties of arm'd Soldiers, not only in the Business properly belonging to Constables, Custom-House Officers, and other Civil Officers, but likewise in the highest Act of Violence, Force, and Injustice, particularly in ejecting Persons out of their Freeholds and Possessions; and in order to it, breaking open Doors and Windows.

H3 ARTI-

^{*} See the Council's Answer to this Article.

Col, Will. Codrington. See the Council's Answer fign'd by hims.

ARTICLE V.

That when the then Assembly of the faid Island of Antegoa most humbly reprefented this as a Grievance like to produce fuch difinal melancholy Confequences, that in Duty to their Country they could not fit filent under, and pray'd his Excellency to redrefs, as much as possible, such past Disorders and high Acts of Violence, and prevent the like for the future; he, by his Message, in Answer to the Assembly's Address, told them, they had nothing to do with it, which oblig'd the Affembly, in their next Meffage to him, to affert that undoubted Privilege of their House, to enquire into, examine, and represent Grievances to him and his Council, for Redress. He, in Answer to the faid Message, flatly declar'd, he knew no Privileges they had; and that in a very few Days after, he dissolv'd the said Asfembly, for no other Reason, but for their infifting on their Privileges, clearly invested in the Assembly of the said Island, as indispensibly necessary to the Ends for which Assemblies were first settled, and made a Part of the Legislature.

ANSWER IV, V.

The fourth and fifth Articles charge me with the highest Acts of Violence, Force, and Injustice, with turning who I pleas'd out of their Freeholds and Possessions, with arm'd Soldiers;

diers; and they are so liberal of such inhuman Epithets, it's scarce possible to believe there is nothing in them, 'till a full Examination of them makes it evident, that they fling them about at all Adventures; or if ever they distinguish the Use of them, it is to deal them most plentifully where there is no Occasion, that at least some Part of their heavy Outcries may be believ'd; else is it possible, that the real Fact which they thus loudly complain of, this melancholy Story, as they call it, whose dismal Consequences they could no longer sit silent under should be only a charitable Order for a few of her Majesty's poor Soldiers to lye under Cover, in an open uninhabited Shed, of eight Foot square, not worth forty Shillings, and which was twice forfeited to her Majesty by the known Laws of the Island, and only pretended to by an infamous. + Woman in foul Language, which the Soldiers might possibly return in kind; and which I offer'd to pay her ten Fold for, if she could make out any Right to.

But the whole Constitution, or Legislature, as they express it, being struck at, by my denying them so essential Privilege as their baving any Thing to do with this scandalous Woman, and their squeeking for their Privileges, when they would engross the whole Prerogative, turns on them the barefac'd Iniquity

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Member of their House, for any Occasion what soever, they might have faid it affected them; or had any of them pretended to the House, there had been some Shadow of a Pre-

tence to hear the Caufe.

But to assume to themselves a Power of determining Disputes in Law, no Ways concerning them, sets aside the Course of Justice, ingrosses the executive Power, and makes all the Courts of Law and Equity to center in themselves, (and be altogether as useless as they would have ber Majesty, in attempting to make a Cypher of him she honours to represent ber.) Which, how much they deserve, appears by their giving Sentence in a Cause no Ways before them, on hearing one Party, without regarding the other; and by their continuing obstinate after they were answer'd to a Demonstration by a Crowd of Witnesses, and by the Council, as appears by the Minutes.

Equally bonest is their Assertion, that I deny'd that their Assembly had any Privileges, and that I statly declar'd, as they very elegantly express it, that I knew of no Privileges they had; when, long before, I fully explain'd my self thereon; and which they never would have been so foolish as to mention, if they had not depended the Weight of Lies they loaded me with would have such me before I had an Opportunity to answer.

swer: For these are the very Words of the Message, in Answer to this Complaint, from the Minutes of the Council, of the 11th of June 1708.

As to my telling you I knew of no Privileges you had, 'twas not that I thought you had none, but that I was a Stranger to them, and knew not what they were; and prefently after follows, 'I should be very glad to allow you to have all the Privileges the House of Commons have, provided you

' would ask for no more.

For their hearing such Causes as these, their assuming to themselves a Power to take up Vessels, their agreeing for them, and passing Warrants for their Payment, their recommending all Officers, from the Judges to the Gunner, and paying none but whom they recommend, are such essential Parts of the executive Power, that the Parliament of Forty One never pretended they had any Right to; and sew will believe their Liberties to be in Danger, when I deny'd the Assembly nothing claim'd by the British Parliament, whose Privileges are the Envy of all other Parts of the Christian World: But with them prevaricating is a venial Crime.

ARTICLE VI.

That he issu'd out Writs for the Election of a new Assembly; by which Writs, the Persons to be elected, were to be Free-holders of the Division or Town where elected,

elected, contrary to former Usage, grounded upon his and former Generals Commissions, whereby the Electors were to be Freeholders; but no such Qualification required in the Elected.

ANSWER VI.

The fixth Article accuses me of altering of the Writs for electing the Members of the Assembly. But the Minutes of the Council of the 17th of February 1707, plainly prove the Writs were order'd in Council; and the Answer of Col. George Gamble to the Interrogatory on that Affair, fully proves what Share I had in it; and that in altering the Writs, I acted as I was oblig'd to do by Law.

What Mr. Kerby swears for them in their Deposition, No. 91, only shews what Sort of Man he is, who, while Secretary, betrays what he pretends he was intrusted with; but as the Law is the Guide which regulates my Actions, I am little concern'd at such Things; nor will it ever be thought a Fault in a Chief Governor, by all legal Ways, to endeavour to prevent a turbulent, factious Person from troubling the State, and having it in his Power to obstruct what is for her Majesty's Service and Interest.

And the Interrogatory they put to one of the Members of the Council, when they were fishing for Proofs for this Fault, and making him discover on Oath our private

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Conversation, according to their laudable Custom, only informs them, that I really look'd on that Gentleman * they made such a Stir about, to be an Incendiary, and the prime Cause of all the Troubles of this

Island.

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Thus have they been labouring to prove, that I afted the Part of a good and exact Governor, by endeavouring to keep out of their Assembly, (but by legal Ways only) one who I had Reason to believe could so influence 'em, that they would prefer Faction to the Interest of her Majesty and their Country; which the Effect has prov'd too true, they baving since neither rais'd any Tax to pay their Debts, or made any Provision for the poor Soldiers her Majesty sent for their Protection.

ARTICLE VII.

That he did take upon himself to determine the Validity of Elections of Members of the Assembly, particularly in the Case of Capt. Edward Perry, whom he refus'd to admit to take the Oaths, which all Members of the Affembly must, before they can fit as a House, and admitted one James Nisbett in his Room, tho' the Assembly had determin'd the faid Election in Favour of Capt. Edward Perry,

^{*} Capt. Edward Perry.

Perry, which rais'd that just Jealousy in the Affembly of their Constitutions, being invaded to fo high a Degree, that without having their Privileges afferted, and declar'd, (being indispensibly necessary to the great Ends for which our Affemblies have, and shall be call'd, viz. Making Laws, Statutes, and Ordinances for the publick Peace, Welfare, and good Government of the said Islands) they could not esteem themselves the Reprefentatives of the People, nor discharge the high Trust repos'd in them; and that in a few Days that Assembly was dissolv'd, without having it in their Power (by Reafon of the aforesaid Obstructions given them by the General) to provide for Payment of the publick Debts, or any other Way to take Care of the Credit, Security, and Welfare of the Island, as they were well-dispos'd to have done; and that he hath given the same Obstructions to this present Assembly, call'd in a Month, or thereabouts, after the last mention'd Dissolution, and continu'd in his obstinate Denial of the just and undoubted Privileges of the Assembly; by which Means, and for that no Affembly has been call'd for these nine Weeks last past, this Colony is left destitute of fuitable Provision, in its greatest Concerns, to this Day.

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ANSWER VIL

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The seventh Article continues the Cry of their Constitution being invaded in so high a Degree, that the Government must go to Ruin and sink, 'till their Privileges are asserted; and they instance in the Case of Capt. Perry, whom I refus'd to admit to take the Oaths, and admitted one Capt. James Nisbett in his Room.

Now, as this Article informs you, I, by my Place, administer the Oaths to the Members of the Assembly, before they fit there, as the Lord High Steward does in England, before they make a House, and chuse a Speaker, and am equally oblig'd to administer the Oaths, agreeable to the Return of the proper Officer. Nor can I swear in any other Per-son, if I had ever so great an Inclination to it. So plainly was I oblig'd to swear in this Nisbett. And how hard is my Fate, to be loaded with the very Reproaches for doing my Duty, which I could only deserve, if I did as they would have me! For I told them, in express Words, as appears in all the Minutes relating to this Affair, That the I was oblig'd to swear in whoever the Sheriff returns, yet, if, on any Complaint or Petition to them, they should adjudge any other Person duly elected, I would administer the Ouths to whoever was adjudg'd so by their House.

They complain farther, That the Assembly was in few Days after dissolv'd, which, to be sure, was a great Breach of their Privileges, when they had so many weighty Affairs before them. But what Good could I hope would be done by such mad Men, as rav'd at me for swearing in such Members as were return'd by the Sheriff? But with their usual good Understanding, they unluckily give themfelves the Reason why I dissolv'd them.

Because they could not esteem themselves Representatives of the People, nor would do the Business, which, as the Peoples Representatives, they ought to do, while they were under such

Jealousies of their Constitutions.

So plain was the Necessity of dissolving them, when they would proceed on no Business, nor take Care of any of those weighty Affairs which they fay the People they represented chose them for, and which the Council unanimously advis'd me to.

The last Complaint in this Article, is so dark, it is plain, when they made it, they did not desire it should be understood. They word it, That I have given the same Obstructions to the present Assembly, and continu'd in my obstinate Denyal of the just and undoubted Privileges of the Assembly.

If they would have it understood, by the Same Obstructions, the same Dispute about swearing in Mr. Perry, as the Complaint seems to imply, the foregoing Answer would

Serve

serve it, and save me the Trouble of exposing them for the greatest Piece of Folly such a Body of Men were perhaps ever guilty of; and which you will easily believe, when you find that they themselves are asham'd to own it, and call it only in general, an undoubted Privilege; without which they cannot proceed to do the Queen's and the Island's Business.

The Fact is thus: It has been the Custom, (as appears by the Minutes of the Council and Assembly) that all Bills, after they were pass'd, should be sign'd by me and the Speaker of the Assembly, before they were transmitted to England; and the Manner was, when the Speaker came to me with any Bills, we sign'd them together, and, in Point of

Rank, I sign'd first.

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But being at St. Christopher's at the Opening of this Assembly, and while several Bills were gone thro' in it, the Lieutenant-Governor and Council sent to the Assembly to sign them, in order to send them to me; which they refus'd to do, 'till I had pass'd several other Bills that were before them; making their own Speaker's signing any Bill the Fiat, that made it a Law, without which, it should have no Force, tho' pass'd both Houses, and agreed to by me; which, in their own Stile, was so barefac'd an Attempt on the first Branch of her Majesty's Sovereignty over them, and of an Independency from

from the Crown of England, that no one, that had the Honour of her Majesty's Commission, could by any Means consent to.

And the' they will sometimes say, They don't pretend to ber Majesty's negative Voice, the Militia and Tax-Ads which they pass'd, and the Council and I agreed to without any Amendments, not being oven'd by them for a Law, because not sign'd by their Speaker, does fully prove their assuming to themselves that Power which is not only much superior to the House of Commons's in England, but to ber Majesty's, altho' they had not resolv'd with what Title they will dignify and distinguifb it; which the Council's Anfwer expressly fays, no Affembly before thought of : Tet, without it, they would neither quarter Soldiers, nor pay their publick Dehts, and retrieve their Credit, then expiring by their it late Composition, and which is now so perfectly destroy'd, by their declaring they will raise no Money 'till they stand possess'd of these Prerogatives, which they call Privileges, that no one on any Account, will trust them.

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But in Justice to them, I must observe, they have some Remains of Modesty, and decently conveal from her Majesty, that their Quarrel

they paid the Gountry Debts in Sugar, at 20 s. per Cent. when they might have been bought for 12 s. 6 d. with Goods, and 10 s. with ready Money.

rel with me, was, for my not complimenting them with her chief Prerogative; and that they had ventur'd losing her Majesty's Island, starving ber Soldiers, and destroying the Chartel, to gain it from me, when they had in vain attempted to bribe me, by assuring me, as they express'd it, of suitable Returns

of Gratitude.

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101.

But the Lords of Trade baving determin'd this Controversy, and declar'd, I acted agreeable to the Trust repos'd in me by her Majesty, in preserving ber negative Voice and Affent to the passing of all Laws; and that it was an undutiful Attempt in the People here, to endeavour to wrest it from her, being what none of her other Subjects ever pretended to; it is evident, by their so resolutely demanding of her Majesty so undoubted and effential a Part of ber Authority and Dominion over them, as one of their unquestionable Privileges, that they are either no Judges of their Privileges, or pretend to claim what they know they have no Pretence for; and that the Misery of the Soldiers, Loss of their Credit, Neglett of the Fortifications, and manifest Danger of the Enemy they have been so frequently expos'd to, and the long Disuse of Assemblies, are wholly and solely owing either to their ignorant Obstinacy, or daring Impudence; and I am inclin'd to believe it is the latter, it being scarce credible the Ringleaders of the Faction could

could believe her Majesty had so little Power over 'em, tho' they might earnestly de-

fire it.

I know not where more properly to range two Depositions relating to the sitting of Assemblies; the one is made by Mr. Crump, and the other only attested by him; which last equals any of their Articles in wilful, notorious, premeditated Lying; and if the one was not display'd by the other, and pretty eminently contradicted by it self, without their designing it, I should scarce be so free with them as to give them their just Epithets, how much Provocation soever I have to be liberal in the Return of them.

* Mr. Crump, in the first, is upon his Oath, and owns, That we being in Apprebension of an Enemy, I desir'd him to tell the Members of the Assembly, That if they would lay aside their Claim, or Dispute, about the negative Voice, I would forthwith call them: And as this is out of the Mouth of a publick Enemy, who thereby acknowleges, I took more Care of them, than they did of themselves, by offering what more probably they should have desir'd; I have thus far no Reason to be dissatisfy'd with him, and it would have look'd tolerably honest, had he

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^{*} Speaker of the Assembly, and a chief Fomenter of the Faction.

not fell a Canting, and added in the next Line, he had good Reason to believe, that by the said Dispute mention'd by me, I meant whether be or I should sign first; as if it was a trivial Dispute of Rank or Order. He fays, he did accordingly endeavour such a Meeting, and thereby seems to infinuate, or give Leave to think, that for his Part, he might be against their insisting on it, tho' he is no farther pleas'd to explain him-self. But he says, he took the Answers of the Members in Writing, for the greater Certainty, without telling their Refolution, only that in general they declar'd, they were for meeting in any Manner, but did not know what I meant by the negative Voice. What could be expected of Men that could be so wilfully ignorant, as not to oven they underfood what had been so long disputed? And for which, I had too often told them, I could not convene them; and which they had on the — Day of — resolv'd not to recede from, and which their Speaker, in this very Deposition, declares be understood, and therefore was capable of explaining to 'em.

But to put it past Dispute how little they inclin'd to meet, notwithstanding their present Danger, he owns, the Majority would not meet without this Proviso, That I remov'd the ordinary Guards from the Town, by whom they said they had been infulted and

assaulted.

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But since a Court of Inquisition bas been erected, and my Enemy, Col. Jones, bas examin'd into the Behaviour of the Soldiers, even to the paying for a Pint of Milk, and no Complaint having ever been made to the Said Court or Colonel, that any one Member of either Council or Assembly, or any one Gentleman of the Island, had ever been either affaulted or infulted by any Soldier fince they have been here; what could I imagine by such a Request, but that they design'd to do publickly what they had miscarry'd in by + Night-Work? Which, as I had often been warn'd of, (this Gentleman palliating my defign'd Murder, by calling it calmly a Wound I receiv'd in the Highway by some unknown Person, as if it was no more than a Quarrel or Rencounter, added to the Attempt which God Almighty has fince brought to Light, of a * Gentleman of the Assembly, and other his Friends, probably of the same Body, endeavouring to bire a Soldier a second Time to shoot me) displays what they then too probably design'd; but Men who could Speak so slightingly of Assassination, and bring in false Witnesses to accuse them that fearch'd

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the Arm, as he was coming to his own House from a Gentleman's where he din'd.

^{*} Mr. Jacob Mozgon.

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search'd for the Russians, as if they had not only been innocent, but as if the Action was not worth enquiring after, must curdle the Blood, and create a Horror in thinking of em.

Of this Nature is their Depositions, No. 59, 60, 70. the first is sufficiently expos'd by the Deposition of the Marshal; † and in the last, they directly turn the Charge on me, tho' nothing can be more ridiculous. Ought not Murderers and Assassins to be search'd after in suspected Places, for Fear of disturbing any one that is ill or asleep? And if this Woman was ill, the Doors should have been open'd, and then there would have been no Occasion given to break them; which, after all, was not done. They only fay, they push'd at, and kick'd against it. But what Occasion was there for a Fright, if there was no Fear of finding the Person they search'd after?

Some People are more inclinable to be frighten'd than others; and if this Woman was so, I don't know who could help or prevent it, or be oblig'd to answer for it. Her Husband says, she told him her first Fright proceeded as much from Apprehension of his giving some Language which might be provoking; and she might probably know him to be apt to give Language no Body would hear, else here is so little Rudeness in the Astion, it could fright no Body.

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[†] See Mr. Ayon's Deposition.

They accuse a Gentleman only of faying, Don't tell me of a Wife, let her open the Door. Where, if an Oath were not join'd to it, the Wonder would rather be, that they faid no more, fince they were so long opening the Door. But at this Rate, no Execution could be ferv'd, or any Offender taken, for Fear of some Woman's Miscarriage; but if the Officers were blameable for the Manner of discharging their Duty, is that more my Fault than it is a Sheriff's, when his Officers are insolent? And who ever was accus'd for such People, especially if they were never complain'd of? Which is exactly my Cafe, and what therefore can no Ways affect me. However, the Fact alledg'd, is most notorioully false; the very + Fellow that made the Deposition, baving declar'd ber past Recovery before this bappen'd.

But the Assassination-Affair leads me to those Depositions, before I ended with the Address I mention'd, as attested by Mr. Crump, mark'd No. 95, which I before observ'd so very eminent, for being cramm'd with more Falsities, perhaps, than such a Body of Men in any Age were almost known

to be quilty of.

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It begins with saying, They had assur'd me, by their Speaker, that they were willing to lay aside the Dispute of the Manner of passing Laws, when Mr. Crump directly swears, That they pretended they did not know what I meant about the Dispute of the negative Voice: So very far were they from quitting it, and their modest Demand of sending the ordinary Guard out of Town, they pass by. The next Thing they say, is, That when they attended me in Council, by my Order, and I again propos'd that Matter, they were determin'd to have agreed to it. When all the Council are my Witnesses, I adjourn'd them, because they would not agree to it.

Their third Affertion is, That they met in Bayer's Pasture, as an Assembly; which is also notoriously false. The Act of regulating of general Elections, appointing the Members of the Assembly and Council to be prefent; but neither as a Council, or as an Assembly: Nor did they pretend to do any Business, or make any Adjournment, or were prorogu'd as an Affembly must have been.

ARTICLE VIII.

That he, by Menaces, Promifes, and all other Artifices us'd by him and his Emissaries, hath endeavour'd, these two last Elections of the Assembly, to overawe, impeach, and hinder the Freedom of Elections; and hath frequently de-I 4 clar'd

clar'd his high and fevere Refentment against a great many Persons who voted for fuch Men to be their Representatives, whom they thought difpos'd and capable faithfully to ferve their Queen and Country.

ANSWER VIII.

The eighth Article of my over-awing Elections, can be inserted for no other Reason, than to irritate every English-Man against me, for violating what they are all so fond of; else my being at St. Christopher's before the calling the Affembly was propos'd, and several Weeks after they sat, makes it impossible they should not know that this Article, as the Council words it, is notoriously false; and that the Minutes prove it so.

But since in all the Time, between the framing this Article, and their taking Depositions, they could not muster up one to give any Countenance to the Charge, and all the Interrogatories they have put, being fresh Proofs against them; the Reason is evident, that they dropt the Way of Proceeding they began with, of bringing Proofs to their re-Spective Articles, because they had no Sha-

dow of a Proof for many of them.

has go ARTIGLE IX. Tollookin

That he hath been all along guilty of a most unsoldierly Neglect in Time of War, and in the Neighbourhood of a most powerful and watchful Enemy, (nay, even

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even when there was a Fleet of French Men of War at Martinico) and Advice of a Descent threaten'd on this Island from thence; infomuch that the Militia of the faid Island had quite forgot the Use and Exercise of their Arms, in which they had been brought to a great Perfection, by the Care and Diligence of former Generals. That at that very Time of imminent Danger, he not only left the Fort of Monk's-Hill, (which had been fortify'd at an immense Charge to the Island, for securing the Wives, Children, and most valuable Effects, at the first appearing of an Enemy) destitute of Men, Ammunition, and Provisions, and all other Things necessary for its Defence; but likewise did throw the great Guns from off the Walls of an Outwork of the faid Fortification, which otherwise would have been of great Service for the commanding of Falmouth Harbour, and two great Roads that lead into the Heart of the Country, without the Advice of the Council: And at that Time was wholly taken up in intrenching and fortifying the Town of St. John's, a Place not to be made tenable with any Charge, altho' the whole Strength of the Island had been employ'd upon it for any length of Time, much less in so short a Time, as we had Reason to depend upon, when we

expected the Enemy every Day; and that by Reason of the neighbouring Hills which command it, and the great Extent of its Trenches; not to be garnish'd with treble the Number of Men that were then upon, or can be muster'd in the faid Island; and that he did then not only order the afore-mention'd great Guns to be thrown off the Walls of the faid Outworks of Monk's-Hill, and almost all the other great Guns from all the other Landing-places in the Island, to be drawn to St. Fobn's; but likewise order'd all the Troops, both Regular and Militia, upon an Alarm, to march to St. John's, the standing Guards not excepted; so that by his Conduct, the Landing was to have been yielded to the Enemy without the least Dispute. And all this, not only without the Advice or Consent of any Council, but likewise contrary to the Opinion of a Council of Officers, and contrary to the constant Practice of former Times: Experience having taught us to receive them at landing, if possible, and give them the warmest Reception we can; and when outdone by Numbers, or otherwise, to retreat to the next Pass, and there make a Stand; and by By-ways and Ambuscades, to annoy, and continually harrass the Enemy; and at last, after loofing the rest of the Island Foot by Foot,

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Foot, that the Bulk of the Troops retreat to Monk's-Hill, by fuch Paths as would be hard for the Enemy to find out, which might be easily made thro' the Woods: Whilst drawing all the Men and great Guns to St. John's, look'd like a Defign of furrendering the Island, and every Person so shut up within the Trenches of St. John's, at first Push.

ANSWER IX.

The ninth Article, which is a very long one, and relates to the military State of the Island, loads me with Variety of Charges, but unluckily proves themselves by no Means competent Judges; they having in one Year quite forgot the Use and Exercise of their Arms, in which they had arriv'd to a great Perfection: So inveterate are they against me, they chuse to own themselves the most stupid Part of the Creation, to forget what is impossible they should, rather than acknowledge bow ignorant and unfoldierlike I found them.

The only Thing possible to be true in what they say, and which I am very forry I must agree with them in, is, that when we were like to be attack'd by a very watchful powerful Enemy, I found my self at the Head of a Handful of such raw undisciplin'd Men, who, as themselves express it, knew not the

Use or Exercise of their Arms.

However, I was so unfoldierlike, as they word it, to have my Time wholly taken up in intrenching and fortifying St. John's. It is very amazing they should own themselves they knew not the very Use of their Arms, and should at the same Time complain I made Lines to defend them. But, say these Soldiers, the Lines were too large to be defended by three times the Number of Men. But they are too stupid to be argu'd with: If they were not able to defend a strong Line, well mounted with Cannon, with an Addition of 2000* Carriole Nigroes, who could have been made useful behind it, how could they be able to give them Battel? Especially since the Men that came to attack them, very probably knew something of Discipline, and the Use of their Arms, and therefore would, without their great Superiority, be in the Field by much an Over-match for them.

Tet these are the Men that were to face an Enemy, and to prevent their landing, tho' under the Cover of their great Guns and small Arms from their Sloops; but they say, Experience has taught them to endeavour to receive the Enemy at Landing; and when outdone by Numbers, or otherwise, to retreat by By-Ways to harrass the Enemy, and at last to lose the Island Foot by Foot. And I

must

Those born in the Plantations.

must agree with them, they did lose the Island so before, when they had half as many Men more; and that they did harrass the Enemy by running away so fast from one Place to another, by By-Ways they were better acquainted with than the Enemy, 'till they lost the Island to them; and having this woful Precedent, I was by no Means inclin'd

to have the Island lost so again.

But on full Confideration, I am afraid the last Thing they say, is too likely; not in the Design, but in the Consequence; that if these Men had been in the Town, rather than fight and defend it, they would have surrender'd me and themselves to their Enemy at the first Push, when they had no Byways left them to run away as they us'd to do. Which, altho' no General can ever prevent, who is so unhappy as to be at the Head of such Men, and might have been my Misfortune, yet I always will do my Duty, whether any Body else does theirs or no.

And I thought it more for her Majesty's Honour, to endeavour to preserve the Town and Islands in the best Manner I could, than abandon it, and leave it open to the Enemy, (tho', as they prophecy'd, I might lose it at last) and is much preferable to running away from one Wood to another, by By-Paths, to preserve a wretched Life, which no brave Man will ever put in Competition with his

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It is scarce worth While to answer their Objections about the Situation of the Town: I did not build it; and my Business was to make the Best of it. There are indeed two Hills near it, but 'till they had brought Cannon Asbore, and mounted them, which would have took up more Time than these Gentlemen would have run from one Wood to another, and lost the Island in, they would not have look'd on the Town; and after they had lost so much Time, and mounted their Guns, from a Battery on Church-Hill, in the Town, I could have annoy'd them as much as they could us; and the Earth being a strong Clay, the Bullets would have lode'd in the Rampart, and thrown no Part of it down; and I took such Care in laying out the Meanders of the Line, that not any Part of it is enfiladed by either of those Hills; and if they had continu'd firing from the Hill, the Houses being all Timber, the Bullets would only have bor'd'em, and gone thro'; and tho' they had brought Bombs, which they certainly would not, as not knowing they should have any Occasion for them, yet they would have done little Harm, the Streets being broad, and unpav'd, and every House, almost, baving a Cistern of Water: But these Gentlemen preferr'd hiding themselves in By-Paths, and deferting the Defence of their chief Town and Country, to a Cannonading, which they had a great Horror for; and

and for Men to be so much afraid of what there is so little Danger in, proves too plainly how unsit they were to meet a superior Enemy, when they knew not how to use or exercise the Arms they were to sight them with.

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But this Line, they fay, could not be made tenable, tho' the whole Strength of the Island should be employ'd for any Length of Time; which at first seems strange, considering that in three Weeks Time, with only three Negroes out of every Hundred, I made the Line quite round the Town; and which, if they would have allow'd but one in ten of their Negroes to have work'd on, I would have made it as strong as the Lines in Flanders. So far was I from requiring all their Negroes, or any considerable Length of Time to make it in. Tet, after all, what they say, may be true; for no Place, within the Reach of a Cannonading, can, by any Art, be made tenable to Men that will not stand it. And tho' very few are kill'd by Cannonading, yet unknown Woods, that are only to be come at by By-Paths, are certainly something safer.

However, after all, the fortifying the Town, was done by an Act of the Assembly and Council, and which they and the Inhabitants would have had Occasion to fay, look'd like a Design to betray them, had I refus'd it; and if they will be still angry, that

it was my Opinion a fortify'd Town makes a better Figure, and may make better Conditions with an Enemy, than a Town that is unfortify'd, they will make themselves farther laugh'd at.

The Expression of throwing great Guns from an Outwork, shews their military Knowledge and Discipline to be much of a Piece. But they after explain them to mean drawing off the Cannon from Monk's-Hill to St. John's; my Care of which great Guns, many of these very Gentlemen, when in the As-

sembly, thank'd me for.

How little capable Monk's-Hill is of being made defensible, the Certificate of Col. † Lilly, her Majesty's Engineer, will make appear; on which, the Assembly resolv'd to proceed no more on the Fortification of it. And so far are they from having any Reason on this Account to complain of me, the Minutes of the Council, and the Assidavits, will prove I as well deserve her Majesty's Favour, as the utmost Care, and indefatigable doing one's Duty can intitle any Man to that Honour.

And I have, with much Sorrow, found it so little in the Power of a Chief Governor to order what Quantity of Negroes is necessary to make such Works as might defy an Enemy in this Part of the World, and maintain her Majesty's Honour, by protecting her Colonies, and preserving her Revenue, which was not only sunk in Nevis and St. Christo-

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[†] See Col. Lilly's Report about the Forts and Fortifications, and Address of Thanks of the Assembly.

pher's, which were lost in my Predecessor's Time; but 300000 l. begg'd of her Majesty to help make good such Losses: And by the Minutes of the Council it will appear amazing to the intelligent World, that I should so often beg, as for an Alms, that they would spare three or four Negroes more out of a hundred from making Sugar, to be employ'd on Works to preserve themselves and Families from the Fate of their near Neighbours, which they had then so melancholy a

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Before I quit this Article, I must observe one Reason, why the Militia is in no better Order? The Poor are so oppress'd by the Rich, who have a Mind to their Land, they are forc'd to sell it to em, and leave the Island. Thus Dickenson's-Bay, which formerly furnish'd a Company of fifty or sixty Men, bas now but five; | Dr. Mackinnen baving, by one Means or another, got all those poor People's Lands into his Possession; and so the Island is much weaker in People, than it was forty Years ago, and will decline every Day: And as every Body, almost, must be an Officer, there are no Soldiers to discipline; of which Lieut. Col. William God rington's Company, in Col. Edward Byam's Regiment, is an eminent Instance, which conlifted but of four Men, viz. himself, his Lieutenant.

One of those that were under Prosecution here for Rebellion and Murder of Col. Parke, whereof he was a chief Instruments

tenant, and Enfign, and one private Man; two others, indeed, he faid belong'd it, but they were fick, or off the Island. This I would have gladly regulated, and have put the four Regiments into one, which then would bave been but a very small one, and their Royal Regiment of Carbineers into a Troop of Dragoons, which would have been but a very weak one; but this would have rais'd a Hurrican greater than any their Clime is us'd to; and so to break into their Constitution, and rob them of their Honours, would have been worse than delivering them to the French; and all the Punishment in the World would have been less than I had deferv'd.

To my issuing Orders contrary to their Council of War, that is, to the Opinion of eight Militia Captains, and four Field-Officers, the Council † tells you, 'tis untrue, I never order'd it; but I should very ill have kept up the Dignity of my Post, and shew'd I had learn'd very little of the greatest Captain * of this Age, had I given up my Opinion to Officers so much younger, and I may add, with Modesty, less experienc'd than my self,

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because they differ'd with me.

These are the Gentlemen who bring their Opinions in their Depositions, No. 100, 133, 134, 135, 136, and 137, to convict me; but

⁺ See the Council's Answer

The Duke of Marlborough

but as the Interrogatories exhibited to them, expos'd their Arrogance, so the Minutes of the Council answers what soever relates to Col. Byam's Opinion, which I have plac'd one against the other, and sufficiently exposes his, and the Opinion of the other Officers, in so evident a Case.

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So abundantly do they prove: I took much more Care of 'em, than they did of themselves, which added to the Pains I took in acting the Ingineer for their Works, and Overfeer for their Negroes, and riding twenty Miles a Day in this bot Country, might make me expect other Thanks than a Charge of High-Treason, in designing to deliver them to the French: For which, whether they deserve not to be branded as they do their Negroes, for so barefae'd and false an Accusation, and such monsterous Ingratitude, I leave the impartial World to determine.

ARTICLE X.

That he has frequently and publickly declar'd, in the Court of Chancery, where he fits as Chancellor, that he would be guided by no Laws or Precedents whatfoever, in making his Decrees; but that either as to the Merits of the Cause, or the Proofs, he will judge as he thinks reasonable and equitable, if it were against all Law, and the constant Current of the Precedents of the High Court of Chancery of England; fo that K 2 he

he is rather a Law-Giver, than a Judge: And that he hath made good his Declaration, his arbitrary, illegal, and unjust Decrees will sufficiently make out and evince, tho' he has pronounc'd but very few: And that he hath drawn almost all Business into Chancery, where there is not the least Colour of Equity, almost to the total exterminating of the Common-Law, and eluding the Fruits of all Judgments, especially considering that our Executions upon Judgments at Common-Law, are very dilatory; and that he has granted frequently general Injunctions, to hinder and ftop Persons from profecuting any Action or Actions, Suit or Suits whatfoever, at Common-Law, tho' the Bill upon which the Injunction has been granted, has been only for one particular fingle Matter; and commonly granted Injunctions, before any Bill fil'd; and has bought in Bonds for a third, or half the Value of the Debt, when the Obligee has been barr'd his Remedy at Common-Law, by Injunctionsout of the Chancery: All which Conduct, Behaviour, and Proceedings of his, as Chancellor, have been Matter of the greatest Horror to all Men of Judgment, when they consider that every Man's Estate, nay, and Person, must be fubjected by these Means to such a Man's

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unparallell'd and unjusti able Passions and Resentments, and that unsatiable Avarice which has so strongly and clearly discover'd it self in all his Administration.

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ANSWER X.

The tenth Article removes from the Camp to the Bench, where they are very angry that I should declare in Chancery I would judge according to Reason and Equity. Was that ever before thought a Fault? Is it not the Business of that Court to soften the Roughness of the Law, nay, to decree quite contrary, when Reason requires it? And has it not its Name of Equity from themse?

its Name of Equity from thence?

But they add, I will not be govern'd by the Precedents of the Courts of Chancery in England; which cannot be true, it being my Custom to send over to England any intricate Cases, as the Council of observes in their Answer: And so little Reason had they for this Article, when they made it, that the Council declares, I never pronounc'd but one Decree, in which they were my Assistants; and that it was reasonable, equitable, and just, notwithstanding the hard Titles they load it with.

As to my being arbitrary, altho' I am sole Judge, I call'd the Lieutenant-Governor and Council to my Assistance, who all agreed with me; and I presume none deserves that Epi-K 2 thet

[†] See the Council's Answer.

thet, who, instead of assuming more Power than the Law allows them, are contented with less than they may use; but it did indeed feem to them very abominable, and, as they express it, without any Precedent, that a Stranger that came out of England should recover his Money from an Inhabitant, and that he should be forc'd to pay it: And when they consider'd this Inhabitant was then my intimate Friend, and the Chief Justice of the Island, and one of their most considerable Men, they immediately form themselves into Cabals; and in Proportion to the Greatness of their Debts, they conceiv'd great Horror, in apprehending they might be made to pay them; and accordingly made their Subscriptions + for Money, to get me remov'd.

Their Charge of my saying, I would at reasonable and equitable, if it were against all the Precedents of the Court of Chancery of England, is perfectly fesuitical, I have so often heard Mr. Nevin quote that for Law, which I knew was not. I have had great Reason to say, I would never make any Decree against Reason, Equity, and my Conscience, on his, or any of their afferting, the Cause they pleaded, was just, and according to the Law of England: And where any Causes have appear'd very intricate, I have sent them Home, to be determin'd from thence;

⁺ See Col. George Gamble's Deposition.

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thence; so far am I berein from being opiniated; for I never pretended to be a Lawyer; and notwithstanding all my Care, I may sometimes have been deceived by them, when they have considently attested that for Law which was not so, and which I could not contradict them in: For which very Reason I have kept the closer to what my Conscience dictated was reasonable and just.

Nor is it my Business to justify here every Decree they find Fault with. I have feldom known a Cause the Lawyers of either Side could not represent fair, 'till they are reply'd to; and if any of my Decrees are faulty, why do they not appeal from 'em? Which, if they had, and any of 'em had been revers'd, at what Rate would they have bellow'd? Tho' that would be what the greatest Men the Chancery boasts of, frequently meet with in the House of Lords, tho' they are on the Spot, with all their Arguments to maintain 'em; and for which, if they were thought criminal, the Great Seal might go a begging, 'till it had brought with it Infallibility.

It's Bribery alone that corrupts the Bench; for Partiality may be alledg'd by whoever looses the Cause; and I will venture a Prophesy, that whoever will sit in Chancery in these little Islands, that are join'd so closely in Alliance together, and who shall determine Causes without regarding the Rank of

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the Person he offends, shall, in one Year, he as uneasy as I am, unless it shall he found to be for her Majesty's Service better to sup-

port bim.

But they having so often mention'd my low Opinion of their Laws, I will freely acknowledge it, and which the Minutes of the Council prove I have frequently press'd them to alter; and by giving an Instance of two or three of 'em, the Reason why I did so, will appear: They pass'd an Act of the 22d of December 1698, part of which is very good, for you soon obtain Judgment. Were you then ever the nearer to your Money? But when Execution is taken out, you are to give twenty Days Notice before you can levy it; in which Time the Debtor may remove bis Cattel and Household-Goods; for you are not suffer'd, under eighteen Months, to ferve the Execution on his Negroes, which are the essential and valuable Parts of the Estates in this Country. And as the Act sets forth what shall be lyable to be seiz'd on the first, second, and third Executions, and what Time shall be between each, and every Time gives twenty Days Notice, the Debtor may remove what he pleases, in the Interim, and bring them Home when the Execution is return'd. But what is fill worse, if you catch any Thing, the Law Says it must be apprais'd by two Planters and two Merchants, and they must all meet and agree, or it's no Ap-

Appraisement; and the Penalty, if they do not meet, is but forty Shillings; and they are generally so related to one another, or are so ty'd by Parties or Interest, that a Man must be very unfortunate, who cannot influence one of the four, either not to meet, or not to

agree if he does.

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To secure themselves farther from being forc'd to pay against their Inclination, the Person of a Free-holder is so sacred, it can be no more (on any such Account medled with) than the first Peer of England; and about ten Pounds will buy such a Freehold; but they'll tell you, he can't go off the Island without giving Security to pay his Debts: And why need be, fince they can neither imprison him, nor recover them; but if he would, what should hinder his buying a Boat, and going away in it to the French, Danish, or Dutch Islands, which surround, and are in Sight of us; and which is often done by Malefactors. So impossible is it to recover Money any Way, but by Chancery, in this Country.

There is another Act altogether as abominable; and I will venture to fay, neither any Christian or civiliz'd Heathen-State, did ever suffer any Thing so immoral, to bear the Name and the Pretence of a Law. The Title of the Act is, ---- by which they baving Power to sell Land to pay publick Dues; the chief Men in the Island join'd in

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a Confederacy to buy 'em, which grew thereby so large, 'twas in Vain to complain against it, there being few considerable Estates, of which some Part is not from the Spoils of the Fatherless, or the Absent, and the Rights of Widows: Nay, so barefac'd was this Combination of Injustice, they agreed among themselves not to outbid one another; so pretending to buy, they took from the Children the Possessions of their Fathers, and in Vain cry'd out against that which the sacred Name of the Law was prostituted to debar them from.

Thus * four hundred Acres of Land in the Heart of the Country, has been sold for twenty Pounds, when one Acre of it is worth the Money; and the Orphan sees it kept from him under the vile Pretence of its being le-

gally fold.

But such Things as these are contrary to the Equity of the English Law, which it was purposely calculated to evade, and to disposses absent People, as well as Orphans, of their Free-holds, who knew nothing of the Matter: But besides the natural Injustice, as it is contrary to the Law of England,

^{*} Amongst a great many others, the present Col. Francis Phipps, being then an Orphan, and absent, they sold 460 Acres of the best Land in the Country, which belong'd to him, to pay the publick Dues, when ten Acres honestly sold, would have more than paid what was due to the Country.

land, I presume it is in it self void; and I don't question but these injur'd Orphans will find Relief from the fundamental Laws of their Mother Kindom, which their clandestine Acts will never be able to evade; and which what Government soever shall here encourage, will be look'd on with Horror by the Complainants against me; yet a Man of Honour would rather be so konourably bated by them, than be their Darling, for counte-

nancing such scandalous Practices.

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Another of their Complaints against me, about Proceedings in Chancery, contrary to their Law, is, for allowing the Seal of the Prerogative-Court of Canterbury, as Evidence before me, when their Acts allow the Seal of every petty Corporation. Although I am, by Instructions from the Lords Committee for Trade and Plantations, dated June the 26th, 1717, order'd to govern my self in Relation to Probates of Wills, by their annex'd Opinion of Sir Edward Northey's, of March the 28th, 1717, wherein he Says, "That when Letters of Administration ar-" rive at the Plantations, under the Seal of "the Prerogative-Court, they are to be " allow'd there; and the Authority of the " Administration, constituted in the Planta-"tion from that Time, ceases: And be also Says, "That Debts due in England, must be "paid out of the Estate bere, in the Order the Law allows of; they would have

as great a Horror for the Lords of Trade, and Sir Edward Northey, for their Infiruction, and his Opinion, as they have of me, if the Law afore-mention'd, of the 22d of December 1698, did not secure 'em from the Effects of a hundred such Instructions and Opinions; while they cannot be made to pay any Body, unless they please; which they never do please to do to a Stranger, it being an avow'd Maxim, never to give any Cause, how just soever, on the Behalf of a Stran-

ger, against an Inhabitant.

Thus, if endeavouring to make new Laws to compel them to pay their Debts whether they will or no, is a Fault, I plead guilty; and if it is criminal to take the Part of the Fatherless and the Widow, to plead for them who have no Money to pay others to plead for 'em, and to remember the Interest of the British Crown and Nation, and her Majesty's Subjects there, be criminal, I will own I am so; for I have declar'd my Abhorrence of such Laws, and such partial Practices; and that they ought to be repeal'd; and I shall always endeavour it, whatsoever Capacity I am in.

I have already shew'd, that altho' I should be mistaken either in Law, which I understand not, or in Equity, wherein I pretend not to be infallible, it by no Means makes me an unjust Judge; and if they dislike any of my Decrees, they may appeal from them;

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and if any of them should be repeal'd, as what frequently happens to much greater Men, I must submit to it: And I have therefore no Reason to enter into the Merits of fuch Cause I have made a Decree on; and shall only make some Observations on those Infinuations of Corruptions they bring against me, and which I would willingly have a Cambysis for my Judge, if they can make appear: Of which, Lieut. Col. William C--- makes the greatest Figure. But tho' be is a Gentleman infamous for several Villanies, and for counterfeiting my Hand, and false indorsing of a Cocket, therefore not very like to be scrupulous in any Thing, yet he neither pretends I took a Bribe, or ask'd one, or shew'd any Inclination that Way: He only tells a Discourse which he had with another Gentleman, and fays, the Reason be believ'd what that Gentleman said, was by my Direction, was because be said be came from the House of Capt. Roach, where he had left me; but, as it appears that I have not for a Twelvemonth past been at the said Roach's House, and that therefore none could from thence come from me, the Reason ceases, why he himself believ'd it. And tho' a Gentleman did come from him to me, that, and all the long Story of my keeping the Will, or refufing the proving of it, is so abominably false, as is prov'd by the Depositions, No. 198, 183, +

[†] See the Depositions of Capt. Bermingham, & Mr. Ja. Rawleigh

that I am forry I am forc'd to expose a Member of the Council; but one who will be guilty of such Practices as he hath been us'd to, would be to blame to stick at any Thing for a good Estate.

The buying up of Debts at half, or one third Part of their Value, especially after an Injunction, makes an ill Sound; and it must look ill in England, (where these little Islands are so little known) for the Chancellor to medle with the Causes that come before him any other than in a judicial Way.

What soever comes before my Lord Chancellor, is determin'd by him, and there the Matter Ends. But People are here so thin, and they are so near related, every Body is concern'd for one Side or the other; and if it is possible to make up any Cause without a Decree, I fave the making many Enemies, which otherwise is inevitable; and tho' I would rather offend every Person in the Government, than fail in my Duty to the Queen, or act against my Conscience; yet, as Things bave of late been manag'd, I have been forc'd to take more Care to disoblige no Body, than otherwise I should, and which it would be for her Majesty's Interest, if none of her Governors lay under the Necessity of doing.

And as there is scarce a Dispute, but a Complaint comes to me of it before they go to Law, I endeavour to prevent it if I can; and when I cannot, he that has the least, or no Money to manage his Suit, continues his

t See the Dipolitions of Capt, Bermingham, Or Mr. Ja Rawleigh

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Complaint; and I very often make up such Causes, before they run the Lengths of the Law, and fave those Charges, which the Practitioners here don't thank me for.

This was the Case of Pellachio, the Jew; be was involv'd in Law without a Penny of Money, and subsisted on Charity: The Debt was just, but he could not go on in the Prosecution; so be came raving to me, tells me bis Circumstances, and how near be is starving, when he had a just Debt ow'd him, which if he had but any Part of, he said he knew how

to get his Living.

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I compassionating his Case, and being urg'd by him to use my Interest with Redwood, his Debtor, who pretended to have a Respect for me, I sent for him, and did all I could to help him; but Redwood having no Money, (which is far from being unusual in this Country, the Gentlemen of hest Estates frequently not being able to command twenty Shillings; but the Wants of this poor Fellow were not to be so satisfy'd) I was forc'd therefore to use my Interest to make it up, and took Redwood's Bond for 1201. I let bim have 60 l. in Money, and he was to have the rest as I receiv'd it from Redwood; and how much be thought himself oblig'd to me for it, the Deposition, No. 115, demonstrates, in Spight of the Designs of my Enemies, who there appear, endeavouring to bribe bim to

See the Depositions of Mr. Joseph French and Grace Porter.

Swear against me; nor 'till he was dead, and past contradicting them, would they dare to traduce a Charity which to his Death he acknowledg'd. But this is not the first Time they made Use of dead Evidence for the

Same Reason.

Itake this to be so fully answer'd, that I need not observe sixty Pounds in Specie is worth ninety in Sugar, with 10 l. per Cent. the Country Interest, is a hundred; so I could have got but twenty Pounds, had the Money been paid when due, which is against the most establish'd Rules of the Country. But as great Part of it is not yet paid, I had been no Gainer, were it even as they represent it, as 'tis evidently the contrary, for I only let him have the sixty Pounds in Part, 'till Redwood paid the rest.

Such Trifles are they forc'd to accuse me of; and by such do they prove they have nothing of any Weight to lay to my Charge! and these two are so scarce, they have but one Story more, since I came to my Government, and that but of 29 l. 14 s. 6 d. which, if as they represent it, would be no Manner of Fault, it being my Duty, as Ordinary, to administer for such as die intestate, and have made no Will, and have no Relations. To such a Pass are they reduc'd for Complaints; but they having thereby shewn my Generosity on this Occasion, this also turns to my Advantage; and as the Deposi-

const the Depolitions of air. Juleal French

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tions, † No. 188, 192, fully proves I take no fee, nor directly or indirectly make any Profit or Advantage by my Trouble in Chancery. It is beyond all Contradiction, I deserve much more Commendation, than a Judge that is only honest; as a Man of Honour that is lavish of his Life for the Service of his Queen and Country, is to be preferr'd before him that sits supinely at Home; of whom, the best is, That he does no Mischief.

ARTICLE XI.

That he has feveral Times threaten'd to displace and turn out Judges of the Common Law, particularly Samuel Watt-kins, Esq; chief Justice of the Courts of Common Pleas for both the Precincts of this Island, and that, upon notoriously false and forg'd Complaints; but truly, for not being applicable to all his Purposes, tho' never so contrary to Law and Justice: And that he has commanded, by unwarrantable and unprecedented Mandamus's, the said chief Justice Wattkins to sign such Process, as was directly contrary to the Law of England and this Island.

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ANSWER XI.

The eleventh Article complains of my threatning to turn out Judges; and they so Jesuitically word it, as if I had turn'd out Mr. Wattkins, whom they clamour so much about; when the Council declares, I L

[†] See the Depositions of Will. Kenedy and Tho. Kerby.

neither turn'd out him, or so much as any one fusice of the Peace, since I came to my Government.

The latter Part of the Charge, is still more false; for I was so far from forcing Mr. Wattkins, by an unprecedented and unwarrantable Mandamus, to sign any Process, that no Mandamus was ever issu'd during my Administration: This being only sign'd, and the Matter being made up between the Parties, it never isu'd. But it being the unanimous Opinion of the Council, as they themselves acknowledge in their Answer, I must have sign'd it, tho' I had been of a different Opinion; and it could be no more a Fault in me, than it was in Mr. Wattkins, who voluntarily sign'd it, on hearing the Council's Opinion. And what in this Article is very particular, is, That the same Gentlemen who were Complainants against Mr. Wattkins, bave sign'd this Article against me.

But that Gentleman having, by a Deposition, No. 128, endeavour'd to appear hardly us'd, I shall a little clear up that Complaint. He says, That several Times, when he and I were only together, I was pleas'd to blame him for suffering the Lawyers, particularly Mr. Nevin, to use such Freedoms at the Bar as reflected on the Honour of the Court; and as I several Times talk'd to him of it alone, which could not be with a Design to affront him.

him, it must be suppos'd I did so, because I

had feveral fuch Informations.

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And besides, I had Reason to believe it, by Mr. Nevin's insolent Behaviour even before me in Chancery. The fusices, indeed, might have given him such a Certificate, for they had been long us'd to allow him the same Freedom of Language in the Courts, which he took every Evening with them in the Taverns; which being derogatory to her Majesty's Dignity, as represented in her

Courts, I endeavour'd to remedy.

As to the Petition of Mr. Mallet, & I was fo far from countenancing it, that, in the publick Court, I severely check'd bim for it; and for what he might afterwards foy to Mr. Wattkins to excuse himself, I neither know, nor is it of any Moment, be being fo very sad a Fellow, that he would say, or frear, or do any Thing. I had us'd him with great Civility, on Account of a pretended Letter he brought me from Mr. Godolphin; which afterwards appearing to be forg'd, and he so worthless a Fellow, I took no farther Notice of him. After which, he publish'd another very scandalous Libel, which, when he was taken up for, he accus'd Jeffery Duncomb, Dr. Mackinnen, and Mr. Wattkins of, on Oath; and afterwards thought it worth while on Oath, again, to contradict, to oblige them.

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† A Practitioner of the Law.

And tho' Mr. Wattkins did lay down, and might have heard I would turn him out, I never declar'd any Thing like it, and should have no more turn'd him out, for joining with the Faction, then forming against me, than any other of that Party: Not one of whom, I have ever since put out of the Commission of the Peace, or any Post or Command. But on the contrary, I have fill'd up Vacancies with those that have sign'd against

me, where I found them qualify'd.

Indeed had I not found him chief Justice, I should never have made him one. So barbarous an Action as murdering a Man, who was unarm'd, would have made him appear to me, not very fit to sit as chief Justice in Cases of Blood, especially in a Country where Murder is never known to be punish'd, if the Murderer is a Man of any Considera-But this Gentleman laid down, as others had done, in hopes the Merit of it would purchase a Reversion of mighty Favour from my Successor; for the Courts being just ended, and the Profits of his Place ceasing, it being six Months before they were to open again, he depended, before that, the Money they had collected, would so back their clandestine Articles, that I should be condemn'd, and remov'd without being heard, and he have his Places return'd him in Triumph.

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ARTICLE XII.

That he has been manifestly guilty of the Breach of his Oath taken by him, pursuant to the Acts of Trade, in that after he had certain Information, that a confiderable Quantity of Brandy had been imported into this Island, contrary to the Directions and Purport of the faid Acts of Trade; and also where the said Brandy was lodg'd; and had, according to his laudable Custom, clapt Parties of arm'd Soldiers upon the Doors, and other Passages of the House or Cellar where the Brandy was. He afterwards, in few Hours, order'd the Soldiers to be taken off; and, by Agreement, suffer'd the fame to be carry'd away by Edward Chester, Sen. Owner of the said Brandy; and after, oblig'd him to allow him in Account 150 l. current Money of this Island, for his third Part of the Seizure, as chief Governor.

ANSWER XII.

The twelfth Article charges me with direct Perjury, about a Parcel of Brandy. The Charge is double: That I clapt arm'd Soldiers, according to my laudable Custom, at the Doors where it was; and afterwards agreed for 150 l. to let it go.

If on an Information of prohibited Goods being landed, I was by Oath, as they say, oblig'd to seize them, how could I with

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two Waiters do it, without planting Centries at suspected Places, 'till the Search was made for them? Especially in a Country where the civil Officers, as the Council informs you, will so seldom do their Duty: And how necessary all this Care was, appears, (when on their Clamour against the Soldiers, I remov'd them.) The Brandy was immediately convey'd away, as may well be suppos'd, since it never was found, altho' I gave Warrants to the Naval Officer and Collector to break open Doors, and make all imaginable Search for it.

What then could I do more in the Matter? Had I refus'd the Officers Warrants to fearch for them, they might have suspected I was not inclin'd to seize them; but they must then allow me to be highly good-natur'd, when they suppose me thus to all against my Interest: So does their Charge of my neglecting my Duty prove, I did more than do it, when my Care extended to place Soldiers, when I wanted Waiters to prevent these unlawful Goods being carry'd off. Fut it's hard to know what they find Fault with, besides my Zeal in Discharge of my Duty, which will always be to them a Grievance.

Ent I had Say they, afterwards, one hundred and fifty Pounds Bribe from Mr. Chefter; I would fain know for what? Scarce for granting Warrants for Scizure of some Parcels of Brandy, or placing Soldiers

Soldiers to prevent his running them, nor for drawing off the Soldiers, while the Collector and Naval Officer made the Search. Such a Bribe would have been wrong made, for Mr. Chester should have given it to his Emmissaries, that oblig'd me to it by their Clamour and Out-cries of arm'd Soldiers, meddling with civil Affairs, and frighting them in their Houses; for so they stile my diligent placing Centries at suspected Ware-houses, 'till the Brandy was search'd for, and word it my laudable Manner of using the Military Power.

With such base Language do these Gentlemen treat me, sirst for my Care to make this Seizure, and then of Bribery, when they

prevented it.

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If they continue still to say I had 1501, for it, the Council observes to you, the Seizure would have been of much greater Value; and 'till they recant their charging me with insatiable Avarice, and own they have therein abus'd me, 'tis impossible any one can believe I should give away 10001. for 1501. against what they say is my very Nature and Temper; and the 1501. was demanded of Mr. Chester as a Debt justly due to me, long before the Brandy was seiz'd; and the Accounts he settled with me, where I oblig'd him to pay it me, was several Months after the Search for the Brandy. This is a new Way of giving Bribes.

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As to Mr. Chester's Deposition relating bereto, his Malice for my continual interrupting him in his clandestine Trade, is so inveterate, there is no Ingratitude he will not own; no Falshood, the never so improbable and ridiculous, that he will not run into! as his own Account before-mention'd, and the † Deposition relating to it, fully prove. The 1501. he paid me, was for so much justly due to me from him, which he had cheated me of in a former Account.

But this Gentleman, I believe, is fond of being thought the very Epitome of Ingratitude, and forswears himself to purchase the Character; and likewise pays the same Price of Perjury, to be thought so bonest as to refuse giving me one half of such Money, as my Lord High Treasurer should pay on such Bills as I should draw on him, especially since he swears I could draw for what Sum I pleas'd. Was there ever such an Idiot? If the Exchequer in England was so entirely at my Service, in all Probability, it might have been worth more to me than this petty Government; but if Mr. Nevin, the Achitophel of his Party, had not been as infatuated as himself, they might with a small Alteration in his Deposition, have corrected its Impossibilities.

Had be said, I told bim I could draw Bills on my Lord Treasurer for any Sums,

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^{&#}x27; See Mr. John Brett's Deposition.

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and would give him Bills, if he would give me one half, it might have look'd as if I thought him Fool enough to part with his Money for a fine Story, which he might get again as he could: But he does me the Favour to swear, I desir'd not the Money, 'till such Bills were paid; which since I could not expect before Later Lammas, I only wish him foy of so much Honesty as to refuse such a Prosfer, so plainly prov'd by his Deposition.

But to dispatch this Gentleman and his Perjuries, which are so many, I am tir'd with convicting him of them. I will here observe, That in the fixteenth Article, he again comes in to prove, I took a Bribe of him of ten Barrels of Flower, & for which I forgave a Ship and Cargo, forfeited to me by Law, by the Loss of her Register; and had the Fact been as he swears it, he again would bave given another Instance of my good Nature and Generofity, in so easily compounding so considerable a Forfeiture. But the Fact is quite otherwise, and the very Mr. Roach they appeal to in the Article, (who indeed is a Gentleman of a very good Character) declares on his Oath, That the Flower was so damnify'd, and good for nothing, that Mr. Chester would set no Price on it, when I would have paid for it; and indeed it prov'd so very bad. that

y See Capt. John Roach's Deposition.

that the Negroes it was design'd for, would not eat it, tho' the Hurricane had left them

very little Provision.

Besides, this Flower was long after I had took no Advantage of the forfeited Vessel; but I have observed how fearful this Gentleman always is, of being thought capable of the least Gratitude; or he would never have complained of me, for not doing, what has been practised by all my Predecessors, and which has been worth much more to them than their Salaries.

But it's condemning the Innocent with the Guilty; and the Accidents of Trade are already so many, that the fair Trader, after be has escap'd the Danger of the Seas and Enemy, need not be liable to be undone by a Fellow's forgetting his Register, or a Rafcal's privately shipping some prohibited Commodity without his Merchant's, or any other Freighter's Knowledge or Advantage; for either of these, as the Law now stands, both Ship and Cargo are forfeited; which is so great a Hardship and Discouragement to Trade, as it could not be defign'd by any Legislature; so it highly deserves their Consideration, either to amend or repeal, and is robat may fave many an innocent Family from Ruin, which I should be glad to be the Occasion of, by thus observing, tho' it would take the best Perquisite from all Governors; and which altho' Col. Christopher Co-

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Codrington made many a thousand Pounds of, I never got a Half-penny by.

ARTICLE XIIL

That he has order'd several groundless and unwarrantable Seizures to be made, where no Offence has been committed, upon full Assurance, that he had made and appointed such Judges of the Admiralty, as would not fail to condemn them with or without Cause; and other Seizures to be made, which never have been so much as inform'd against, much less condemn'd, and particularly sixteen Firkins of Butter, belonging to John Barbotaine, of the Town of St. John's, Merchant.

ANSWER XIII.

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The thirteenth Article is full fraught with general Charges, but barren in Particulars; groundless and unwarrantable Seizures, without any Offence, Information, or Condemnation, is but Part of the Charge. The Bench of Justice is corrupted, and Judges put in, to condemn all that come before them.

But common Sense is a rare Commodity with them; for what Occasion can I have to make Seizures, without Information or Condemnation, if I have made such Judges as will condemn any Thing? Yet nothing so ridiculous, as their Instance to prove this Outcry and Injury done Mr. Barbotaine, in

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Relation to fixeen Firkins of his Butter, The Seizure was occasion'd by its being flopp'd going on Board a French Flag of Truce, contrary to Law, and which therefore no Body car'd to own; and the + Gentleman they mention, as fo rerong'd, declares on Oath, he never demanded them from the Collector; who informs you they lay in the Queen's Ware-house 'till they were spoil'd, which need not be long in this bot Country; and this is all they have to support fo beinous a Crime.

And as every fingle Fact they are pleas'd to find Fault with, they falfely express in the plural Number, to give a better Colour to them; so in this Article of my appointing of Judges for my Purpose, they must be understood to mean Mr. Pember, who is her Majesty's Attorney-General, and the only Judge of the Admiralty I ever made, there being a Vacancy at that Time; of whom, in Juffice, I am

oblig'd to fay, That he is a Gentleman of a good Family, and bred to the Law, of as sober and good a Character as any Person whatsoever in the Government, and came over with his Family in as bandsome a Manner, as any

ever came into these Islands.

ARTICLE

⁺ See Mr. John Barbotain's Deposition.

ARTICLE XIV.

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That he, by an Order of his, directed to the Officer appointed for collecting of Powder, from the Vessels arriving in this Island, did exempt the Sloops belonging to it from the Payment of Powder, tho' the faid Duty of Powder was impos'd by an Act or Statute of the Commander in chief, the Council and Affembly of this Island, indifferently upon all Vessels arriving in this Island, and without any Manner of Exception whatfoever; the which Order, contains a Non-Obstante of any Act or Order to the contrary. And then, upon his groundless Displeasure conceiv'd against the People of this Island, did, by a contrary Order, command the faid Officers to exact the same of all Vessels, without Exception; which is the most bare-fac'd and bold dispensing with, and trampling on the Laws, that ever was attempted by any Subject.

ANSWER XIV.

The fourteenth Article is indeed very solemn, and of such Moment it looks, as if it was to determine the Dispute between us: The Charge is, of assuming a dispensing Power, and for trampling on the Laws in a most bare-fac'd Manner; a Crime Kings lost their Crowns for pretending to; and which which it's strange Subjects sould dare ven-

ture upon.

But is it possible to believe, in the Instance this Article gives of my dispensing with the Powder-Att, that thefe very Gentlemen, who make this so beinous a Crime in me, petition'd me to do it; and that the whole Council and Affembly, agreeable to their own Conflitution and Custom, * address'd to excuse the Sloops of this Island from paying this Duty, to encourage their Navigation; and it appearing to me, that there was a sufficient Quantity of Powder in the Stores, and that on fuch Occasions, the Generals were us'd to grant fuch Petitions, I consented to it? And I appeal to all who are acquainted by Hiftory with the Actions of paft Ages, or know any Thing of the present, whether ever any one Part of any Legislature propos'd to another Part of it, any Thing for their own Good, and after blam'd them for confenting to it: Or if such a Thing had ever been done, what the rest of the World has thought of Which is exactly the present Case.

For when they afterwards say, on my groundless Displeasure I made the Island-Sloops to pay that Duty as usual, they don't say, that was a dispensing with the Laws, but unkind in me to put them in Execution:

And

^{*} See the Messages and Answers pass'd between the Council and Assembly, relating to this Assair.

And thus my not taking it, and taking it, are each made criminal, when they are distinct Instances of my Care of them; for the Order for receiving the Powder, as usual, expresses the Occasion to be, that the Hurricane had spoil'd a great Quantity of Powder: So plainly was the Reason ceas'd, on which I made an Order to excuse it.

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It is indeed possible, that some who have sign'd the Articles, may not know this; but for those Gentlemen of the Assembly, who in their Address beg for this Exemption of their Sloops, and for my Favour in complying with it, to repay me in the Language of this Article, no one can think of them, but with Horror.

ARTICLE XV.

That he has heighten'd all his own Fees, some of them very near double, to what was exacted by any former Generals; and that not only without the Confent of, but also without so much as communicating the same to the Council of this Island.

ANSWER XV.

The fifteenth Article accuses me of taking extravagant Fees, which is sufficiently confuted by the Assidavit of the Secretary, that they amounted not to forty Pistoles per Annum for this Island; and the other Fees, which are less both in this, and the other Islands, I have given away to the Under-Offi-

[†] Thomas Kerby.

Officers, to encourage them in their Duty; and I would have given these Fees to the Secretary here, as well as I did to the other Deputy Secretaries of the other Island, had be not been too deeply ingag'd in the Faction against me, to expect any Favour.

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By my Instructions, the Council is to settle all Fees: Pursuant to which, the Council and Assembly of St. Christopher's settled the Fees at my first coming; and I have since govern'd my self by the Table of Fees they

made.

ARTICLE XVI.

That upon the Arrival of the Brigantine Anne, some time in the Month of September, 1717, which in a violent Storm was overset, and a Wreck for several Days, and fo forc'd into this Island, the' defign'd for Barbadoes; he told Mr. Chefter, Sen. who (upon an Application to him from the Master of the said Brigantine, as a Friend and Correspondent of the Owners) waited upon his Excellency to have a new Register, (the former being lost in the faid violent Storm) That it lay in his Power to seize her, and refus'd at that Time to grant a Register; but order'd the faid Chester to come again, which accordingly the faid Chefter did; and then he told the faid Chester, that it was an Act of Favour, and that he did expect, and must have, a Present from

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the faid Chester; and thereupon granted a Register; and in some few Days after that, did ask the said Chester, in Presence of Capt. John Roach, for what he had promis'd him upon the above Account, and accordingly had ten Barrels of Flower.

ANSWER XVI.

This Article I dispatch'd with the twelfth.

ARTICLE XVII.

That he has made and appointed Juffices of the Peace of the meanest and lowest Rank, and most wretched Character, who dare not do their Duty where it is the most clear and unquestionable, without the General's Direction and Approbation.

ANSWER XVII.

The seventeenth Article I cannot deny: I have sign'd of Course, the Commissions for the Peace, to all that were in it at my Arrival: To the low, mean, and wretched Characters of some of whom, I am oblig'd to make no Defence; and which, if fairly drawn, would make it less wonderful, they sign'd such scandalous Articles. And here they prove how grossly they bely'd me, when they accus'd me of being arbitrary; they not pretending I have put out one Justice of the Peace for signing these Articles against me, nor have I put one in, but on the Council's Recommendation, as they acknowledge in their

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their Answers, which is a full Justification to me, who cannot possibly be so well acquainted as they are with every Inhabitant's Character.

And I know not whether the Answer of the Council, or their not attempting to prove this Article in their Crowd of Depositions, does most expose them, either as Trisles or Lies.

ARTICLE XVIII.

That he hath given the Command of one of his Privateer-Sloops to one John Ham, a Man notoriously known to be guilty of Piracy and all manner of Villanies; and particularly of a most barbarous and treacherous Murder of five or fix Spaniards in cold Blood, whom he had invited to an Entertainment at his own House. Since which Time the faid Ham never durst appear in the Islands of Antegoa, Nevis, St. Christopher's, or Montferrat, or any where, but in fuch Places where Justice could not reach him, 'till the Arrival of our present General, who, as it is univerfally reported, has given him the faid Ham his Pardon.

ANSWER XVIII.

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The eighteenth Article relates to one Ham, that I made Master of a Privateer-Sloop; and I think it is a very odd one: The Courage of such Men is what they are generally more famous for, than their Morality; and tho' I will not justify his killing any Spa-

Spaniard in cool Blood, to escape the perpetual Slavery all their Prisoners are doom'd to, yet Liberty is so dear to all Mankind, more might be said to excuse the great Price he paid for it, than twenty other Crimes very little complain'd against, which are daily acted, without either Provocation or Temptation.

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The rest of the Story the Council's Answer proves to be false: He liv'd at St. Christopher's before I came to the Government, and liv'd there long since this Action, and frequently comes to this Island; so that if he is guilty of breaking any Law, he may be try'd for it; and 'tis long since he has been out of my Service: Nor have any been able to give one Instance, that I ever protected any Man from the Laws; and this Fellow having a Commission from my Predecessor, since the committing the Fault he is now accus'd of, shews the Malice of the Article.

ARTICLE XIX.

That he has frequently and publickly declar'd his implacable Malice against the Island of Antegoa, and particularly once at the House of Col. Francis Rogers, did declare, That were it not for a few Friends, he would send the Island of Antegoa to the Devil. So that it must be obvious to every common Understanding, that the Island of Antegoa must be in a wretched Condition, especially if we M 2 should

should be attack'd by an Enemy, which we are threaten'd almost every Year.

ARTICLE XX.

That he did publickly declare and fwear, at the House of Col. John Lucy Blackman, that if he knew any Person that was going Home to complain of him to the Queen, he would clap them up in a Dungeon, and there they should perish, and there was more Ways to kill a Dog than one; and repeated the same at other Times, and upon several other Occasions; so that it seem'd a fix'd Resolution, and no Escape of Passion.

ANSWER XIX, XX.

The nineteenth and twentieth Articles are fo foolish, they expose themselves without any Answer: The turning of a Word ever so little, may give so contrary a Sense to any Thing, it may put the World in an Uproar: On which Account, nothing is held more scandalous, than the betraying Conversation; but the † Assidavits concerning it, and the Answer of the Council proves them so very unlikely, I should be asham'd to spend any more Time about them, if the Depositions and Interrogatories they have took, and fore'd me to take, on this Occasion, did not oblige me to it.

They say, I have frequently and publickly declar d my implacable Malice against the

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the See the Depositions of Col. George Gamble, Col. Francis Rogers, and Mr. Joseph French.

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Island of Antegoa; and that at the House of Col. Francis Rogers, I faid, "Were it a not for my Friends, I would send the " Island to the Devil." Was ever People so ridiculous? I have, (say they) frequently shew'd my implacable Malice against the Island; and to prove how frequently I have hewn such implacable Malice, they give one Instance; and they repeat something like what I might say, to prove a fix'd implacable Malice; for neither at any other Time, or any other Place, do they pretend to prove that their Scurrility, their Lies, their Perjuries, or Assassination, have provok'd me to any Expressions that might naturally be expected from such Usage.

But it's obvious, say they, to any common Understanding, that the Island must be in a very wretched Condition, especially if it should be attack'd by the Enemy; and I must agree with them, the Island is in a very wretched Condition, by having so many Inhabitants of so little Virtue, Morality, Modesty, or Discretion, to be lead by such Tools into a Faction, and to say, and swear,

and attempt any Villany to Support it.

And as they generally charge me with the contrary of what I am eminent for; so the Credit I have done their Island by the Houses I have built in their Town, which before was a Scandal to Strangers, and which, by the Fate of Builders, I shall be a very considemable

rable Loser by, are but indifferent Proofs of my implacable Malice to the Island; and that I would deliver it up, (as they would insinuate) if they were attack'd, to an Enemy, when I have a greater Interest in it, and should lose more thereby, than nineteen Parts in twenty of the Petitioners.

So they unluckily tell a Story of what I should say at Col. Blackman's, to prove the Arbitrariness of my Disposition, which gave me Occasion to prove, tis so far from being my Temper, that not one Inhabitant has been put into the Stocks or Pillory, or whip'd, or duck'd ever fince I came to the Government. †

And their saying on this Occasion, that I had said the ridiculous Words the twentieth Article mentions, at other Times than at Col. Blackman's, and on feveral other Occasions, when they have not muster'd up any one Deposition to prove fuch a Charge, shews that Lying is so babitual to em, they willingly are guilty of it in every Article: But their 12th, 13th, and 14th Depositions, about the Discourse of Whipping, do so widely differ, it might learn them, if they had common Senfe, that fince the Words they say are different, and consequently, where they differ, cannot be the same Words I faid. The repeating Conversation by difrises in thind soul ferent

⁺ This, Mr. Wattkins and Mr. Duncomb (the Perfons. who made the Affidavits to Support this Article) confess on their Oaths, in the Interrogatories exhibited to them on this Occasion.

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ferent People, and altering, or tearing out any Word, turns it from its true Sense; and I believe few People can speak so well, that one or both those Persons would not make ridiculous, should they be obliged to repeat it.

ARTICLE XXI.

That he hath exacted the tenth Part of all Prizes taken by private Men of War, for granting them Commissions; and that he refus'd to grant Commissions to several Persons, unless they had contracted and agreed with him to pay him to per Cent. of all their Prizes, for their Commissions, or at least a full Equivalent.

ARTICLE XXII.

That it has been his common Practice, to strole and ramble at Night up and down the Streets of St. John's, and from House to House, listening and Eves-dropping, and that in different Disguises, tho very well known in all of them, and so expos'd to all the World, bringing thereby his Person and Authority in Contempt; and that in these his Nights Rambles, he did always go privately arm'd with a small Ponyard, and a Case of Pocket-Pistols, well knowing that his scandalous Purposes and Designs must expose him to very notable Dangers.

M 4 ANSWER

ANSWER XXI, XXII.

The twenty first Article charges me with exacting 10 per Cent. from Prizes, and refusing to give Commissions to such Privateers as would not allow it me; but as the Instance they pretend to give of it is by Capt. Roach, and by their very Depositions prov'd to be before the late Act took Place, that cuts off the Lord High-Admiral's Tenths. This Article has no more in it than the rest.

But as the best Actions are often made appear the contrary, or at least call'd so by them, my sitting out several Privateers for the Service of the Islands, and at the Request of the Council, when there was no Man of War to guard it, is the Foundation of this Calumny: My Share came, indeed, to above 10 per Cent. and still I was a Loser by it; which being too ridiculous to find Fault with, is thus represented; and how much it was a Service to the Island, the Council, in their Answer, prove for me.

They end their Articles so whimsically, one can hardly refrain laughing at them; and I wish they had explain'd why they are so angry at my strolling up and down the Streets a Eves-dropping, as they term it; and 'tis strange, if they saw me, I had no such Salutation from their Windows, as my Ponyard and Pocket-Pistols would have been

little Defence against.

Thus

Thus they represent an Action the greatest Heroes have glory'd in, and which the Historians of all Ages have thought worth recording to their Honour, whose Steps I hall always endeavour to tread, and will be a Glory to me, notwith standing this Article.

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You may easily imagine, that a Sea-port Town in the West-Indies, full of Punch-Houses and Taverns, cramm'd with Soldiers and Privateers, to be very licentious; and the greatest Care and Pains is wanted to make it habitable, and to preserve the Peace, that the sober Inhabitants may not be infulted or disturb'd. And this Fault they accuse me of, has so reform'd the Town, that whereas formerly, almost every Night, some Body was wounded, or Murder was cry'd out in their Streets, they are now as quiet as London within her Walls.

But before this could be brought to pass, I went the Rounds oftener than the Watch; and when they set Spyes to give them Notice of my coming, I would, in a Centinel-Habit, or in Cloaths they did not expect me in, go round the Town 'till I had cur'd all their Disorders, by finding out all their Contrivances, breaking up their Riots, and preventing them; which this Article thus rewards me for.

It is very particular, that they attempted to bring no Proof to confirm this Article; and

and I know not whether to attribute it to a new Modesty, or a consirm'd Impudence; but if it is the first, and that none of them in particular had Forehead enough, so basely to abuse the Care I took of them in a Body, they are arriv'd to a prodigious Height in it; they all attesting to what they cannot pretend to prove, and to what they could neither bring a Deposition or Story to countenance; which, tho it may seem a giving up their Cause, is little Amends to me for the innumerable Aspersions they have loaded me with, and the Trouble and Charge they have put me to.

Since their taking the publick Depositions, they have taken some private ones; and one in Relation to this Article from Capt. B-P- worded with all the Art that Men who have so desperate a Cause, could contrive: He says, be bas seen me in Disquises; and having sworn that, and to what else be thought might be of Service to them, he slipp'd off the Island, that I might not interrogate him; and bath shew'd, that the Disguise be has seen me in, was no other than what I have own'd in this Article; and that be was one of the Persons I took with me, and therefore a Witness of my extraordinary Care of this ungrateful People; but of nothing I would not have gladly known; for the Malice of that Gentleman is so finely Spun

Spun in his Deposition, it is past a Controversy, that if he knew any Thing ill of me, be would reveal it; and it's my Happiness and my Honour, that I have done nothing I am asham'd of, or that (when they who are as intimate with me as be was, turns treacherous) their revealing can burt me.

But I find more Qualifications are requir'd to form a compleat Villain, than is generally thought. He that will lye with Reputation, must know something of Nature, and be a Master of Reason; be must not be ignorant of the different Bounds of Probability, Poffibility, and Likelihood; for a Lyar, who would avoid that Character, must seldom, very feldom, interfere with any of them, and must shun all that is improbable; but if be touches on an Impossibility, bis Reputation's gone, and be ruins the Cause be engages in, for Want of being Master of bis Profession.

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Thus, had this Gentleman known my Commission gives me no Power to pardon Murder, be would not have took away from himself the Power of serving the Party be is enter'd in, by swearing an Impossibility, which convicts himself of Perjury. But I bave more than sufficiently expos d this Anticle, and the Gentleman they brought in to support it; for Truth bas a Brightness will always break out, and to that I owe the topus Conbactana double by E. Victory.

Victory. I hope the impartial World will give me over their first Set of Articles.

To the Queen's most Excellent Majesty.

The humble Petition and Address of the Under-subscribing Members of the Assembly, Gentlemen, Merchants, Freeholders, and other Inhabitants of your Majesty's Island of Antegoa.

TTE your Majesty's most dutiful and VV most obedient Subjects, the subfcribing Petitioners, most humbly beg Leave to affure your facred Majesty of our fincere, ardent, and inviolable Zeal, Fidelity, and Affection to your Majesty's Person, Government, and Service, and of our unexpressible Satisfaction upon every fresh Information of the great and illustrious Actions, that add fresh Lustre to the best of Queens, and particularly your Majesty's unweary'd and successful Endeavours, to relieve all Persons who fuffer by Tyranny and arbitrary Will and Pleasure, which gives your Petitioners full Assurance, that your Majesty will not suffer your Petitioners to groan any longer under the Mif-Government and continu'd Infults of our prefent chief Governor, Daniel Parke, Efq; and leave us expos'd to fuch imminent Danger by his NegNeglect of the proper Means for our common Defence against the Enemies, who are so powerful, watchful, and settled at so small a Distance from us; and therefore, that your Majesty may clearly see how miserable still we continue to be under the Government of Col. Parke, since we have sent over our Petition and Address to your Majesty, and Articles against him, we humbly beg Leave to lay before your Majesty the sollowing Instances of the said chief Governor's Administration, and our unhappy Circumstances under the same.

Your Petitioners farther humbly beg Leave to lay before your Majesty the following Particulars of our said chief Governor's Administration, which have happen'd since the Departure of the Gentlemen by whom we sent our first Address to your Majesty, and Articles against

the faid Governor.

Their nine additional Articles are usher'd in with a Compliment to a Queen, whom all her Subjects have Reason to bless God for, and who justly is the Darling and Delight of her People.

But they approach her Majesty in a Manner she is not us'd to from her Subjects. And because she had not pass'd Sentence on their asserting; I deserv'd it, nor condemn'd

me without answering for my self, they defire she will no longer let them groan under my Government and Insults; insinuating, that she ought before to have redress'd the Oppression and Tyranny they say they lay under, and have secur'd them against the Dangers of being deliver'd up to an Enemy they were in such Danger, and were so

much afraid of.

If these People do continue still to trisse with her Majesty, while they thus upbraid her, it's so long before she relieves them; and if the pretended Oppression of their Governor appears only to be his maintaining her Dignity and Laws, which they thus complain against him for, is it not evident the Affront is to her Majesty, in the Person of her Governor; and that they would not, if they could help it, have her reign over them, or to constitute any Magistrate, who would not let them do whatsoever they pleas'd? And these additional Articles prove themselves the genuine Off-spring of the same Parents that begot the first, by a peculiar Cast of Ridiculousness, and Turn of Impudence, none but themselves ever arriv'd to.

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ARTICLETAL LANGE OF

That the faid chief Governor hath appointed one of his Creatures, who came over a private Man in the Regiment now station'd in the Leeward Islands, Provost-Marshal in the said Island, and that without the faid Marshal's giving any Security, as he ought to do, by a Statute of this Island of Antegoa, being a publick Officer for the Service of your Majesty and your People: That the said pretended Marshal executes all the Governor's Commands, without Referve; which is very agreeable to what the faid chief Governor has frequently declar'd, That he would fuffer no Marshal to act, who would not at all Times impanel fuch Juries as he should direct.

ANSWER I.

The first begins, with saying, I appointed one that came over a private Man in the Regiment, Provost-Marshal. Had be not been a Gentleman, and qualify'd for the Office, they would have alledg'd it; but since they cannot pretend either, they undervalue him: And it is, indeed, amongst them, much more reputable, to breed their Children to the meanest and lowest Employs, than to carry Arms as a Cadet, and to rise in the Service of her Ma-

Majesty and their Country, by their Courage and Merit.

They farther say, the said Marshal gave no Security, by which they infinuate he could not; but as their own Deposition, N°.72, contradicts that Insinuation, so the whole also is false; for he gave Security on my making him Marshal of this Island; but he enter'd not his Security, 'till I had made him Marshal of all the Islands in the Government. So very considerable a Ground of Complaint this appears, and which Piece of Form, if he had not punctually comply'd with, might be a Fault in him; but how it could in me, who might know nothing of it, sew of themselves can find out.

They end this Article with saying, That the Marshal executes all my Commands without Reserve, which is agreeable to what I frequently declar'd; that I would suffer no Marshal to act, who would not impanel

fuch furies as I would direct.

Which Words, their Deposition, No. 26, is to confirm; but as I remember not any Difcourse like it, and having so lately prov'd how the Change of a Word alters the Sense of any Thing, I think it needs no Notice, 'till they attempt to prove he has chose any Jury who have afted contrary to their Duty, and that I could have any Benefit thereby.

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Till when, or 'till some other Fault in the Execution of his Office is prov'd on him, he will not be thought, at † Home, the worse Marshal, for endeavouring to put the Laws in Execution, which is the greatest Grievance any one can be guilty of; but if his executing my Commands is (as they word it) agreeable to what I said about the Juries, I am content, the one shall explain the other; for as all their Depositions are not able to prove I either order'd, or he executed any Command of mine, but according to Law, and if what I said relating to the Juries is agreeable (as they say) thereto, it's plain, I expected he should all no otherwise than according to Law.

ARTICLE II.

That he the faid chief Governor, and the Captain of Grenadiers of the faid Regiment, with their drawn Swords, at the Head of a Party of Soldiers, with Arms loaden, and presented, enter'd the House of Mr. Edward Chester, Senior, and violently seiz'd on some Gentlemen, (then there by the said Chester's Invitation) sitting in a peaceable and friendly Manner, who were, by the said chief Governor's Commands, hurry'd to Goal.

ANSWER II.

The second of these Articles is strengthen'd with about twenty Depositions; but

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[†] In Loudon, or Great-Britain; the common Phrase for expressing it in all the Colonies Abroad.

if they could get twenty more, they will not be able to prove an Impossibility, or make a Thing not to be what it is. The Riot is so plainly prov'd by the Depositions of so many difinterested Persons, * that what is swore by the Criminals, in Excuse for themfelves, or by their Servants or Relations, can never clear em of it; and it must be something surprising, that they have the Impudence to make an Article, and impeach me for preserving the Peace they so notoriously broke, and her Majesty's Authority, they fo audaciously insulted, and for endeavouring to disperse a riotous Assembly, compos'd of fuch People, who, the Deposition, No. 89, + proves, scarce made a Secret of their defign'd Assassination; and which the Providence of Almighty God has preserv'd me from, tho' I have been three times shot at.

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And as the Deposition, No.24, || shews how far I was from being accessary to the Fines laid on the Rioters, and how cautiously I usted on that Affair; so they give an imminent Instance of my Moderation and Humanity, in offering, on my own Accord, (to Men that deserv'd so little at my Hands) to pardon and forgive them their Fines, on their acknowledging their Offence. Which Punsto

+ Of Mr. Gousse Bonin. | Of Thomas Gateward, Efg.

^{*} See the Depositions of Col. Thomas Long, Col. Thomas Morris, Col. Thomas Newel, and Mr. Ayon. This is sworn to very positively by a great many others of good Reputation; but, for Brevity's Sake, are omitted.

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Puncto the Dignity of my Commission would not allow me to abate them, and which, to the last Hour I keep, I will, for my Missers's Honour, Support; but they rather chose, in Contempt and Desiance of the Laws, to break open the Goal, and accuse me of trampling on them (but it must be under their Feet;) so they prove my Tyranny and Cruelty, in not punishing any Man, and in offering Pardons to those who would not accept it.

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I need fay no more to this Article, in Relation to my felf; but they having been pleas'd to make the * Captain of the Grenadiers a Party to their Articles, I ought alfo to clear bis Character, he being not only remarkable for being the only Officer that had feen any Service in this Regiment, but for being more a Soldier than generally comes into thefe Parts: having been near twenty Tears in Commission, either in the Horse or Foot, and in most of the Actions both in this and the last Wars; besides, be is so regular in his Conversation, that, neither before the Court of Inquisition my Lord erected against me, or his other High Commission-Court, of mbich be constituted Col. Jones sole Judge, not one Complaint came against this Gentleman; nor bad they any Thing to lay to his Charge ever fince he came over with the Regiment, but their ridiculous Deposition about his Cock, which

^{*} Lieut, Col. Tho. Newel.

was only a Piece of the Country Wit, to move Laughter, and could not possibly have any other Meaning.

ARTICLE III.

That on Sunday the 3d of April last, the Provost-Marshal, having a Warrant against Barry Tankard, Esq; for a Breach, or a pretended Breach, of the good Behaviour, took an Enfign with him, and fix Files of Soldiers, from the faid chief Governor's Guard, all compleatly arm'd; and after a March of eight Miles, came to and furrounded the House of the faid Tankard, about eleven of Clock at Night; the Marshal and Ensign having their Piftols cock'd, and Sword in Hand: That fix Soldiers enter'd the House, and fearch'd every Room, even the Bedchamber, where the faid Mr. Tankard's Wife and Daughter were lying fick of a Fever, who being thereby extremely terrify'd, run from, and left the faid House at that unseasonable Time of Night, and in that weak Condition, to the apparent Hazard of their Lives.

ANSWER III.

The third Article is still more stupendously impudent. The Deposition * shews this Tankard, by the Confession of his Friend, designing to affront publickly her Majesty, in the Person of her chief Magistrate. The Depositions

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Depositions * shew him bragging of his challenging and braving him. The Depositions, No. 134,† 145, and Interrogatory, shew him sending a formal Challenge by a private Gentleman, to the said chief Magistrate, in his own House, within his Guards; and the Person that brought it, suffer'd to return without the least Indignity. The Deposition, No.

shews you this same Tankard sitting on a Hill, like a General, dispatching Scouts, seizing Passengers on the publick Roads, and bringing them between Negroe Slaves, with Guns at their Breasts, to his Tribunal, and there examining them. And the Deposition, No. 145, farther shews, how the Civil Officer, in endeavouring to do bis Duty, and to serve the chief Justice's Warrant, is near being taken Prisoner by these black Banditti; who, when they could not cut him off the Road, (which by great good Fortune he gain'd before them) they endeavour'd to murder bim, and fir'd their Pieces at bim, which they durst not do without Orders, which it seems were so extensive, as to bring him in alive or dead; and sufficiently explains what he was to expect, if they had got him; for which meritorious Action, by a Prodigy of Impudence, they form this Article, for Sending some Soldiers to prevent the Marshal's being murder'd in the Execution of his Office,

^{*} Of Mr. Edward Morgon, and Mr. William Flaxen.

t of Mr. Michael Ayon. | Exhibited to Mr. Ed. Warner.

in apprehending one, who their own Deposition, No. 71, does not deny to be no more than the Son of an Ale-Wife, who had been publickly whipp'd for her ill Behaviour.

But as the Audacioufness of making an Article against me, where they are so criminal themselves, is alone enough to turn their Cause, and expose them to all Mankind; it's scarce worth while to observe, that the latter Part of the Article (drefs'd up to beget Passion for the Wife and Daughter of the said Tankard, who, it says, lay then fick in Bed of a Fever, and who were fo terrify'd, as at that unseasonable Time of Night to run out and leave the House in that sick Condition) is one entire Lye, which not one of their Depositions, which are mark'd No. 42, 43, 44, ever pretend to; but acknowledges them to be both well, and up, and that they were drinking. And it's something extraordinary, it should be a seasonable Hour to be a Merry-making and not to search after Criminals: So easily do they attest, and fet their Hands, not only to Lyes, but what they know to be so; for before their tast signing these Articles, the Depositions, above-mention'd, were taken; but they baving before sign'd them, when, in Charity, I would believe many of them knew no better, it would have been too great a Blow to the glorious Cause they were engag'd in, to acknowledge they had been impos'd upon; and ti-

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and had sign'd a palpable Untruth: So plainly does one Crime draw on another, and frequently a much greater than one would have at first confented to.

ARTICLE IV.

That the faid chief Governor hath not call'd an Affembly for eleven Months last past, and hath forbid the Lieutenant-Governor to call them in his Abfence; and that when there was Intelligence, that the Enemy had form'd a Defign to attack this Island or Montserrat, foon after the Loss of his Majesty's Ship Adventure, notwithstanding he was address'd by the greatest Part of the Inhabitants of the faid Island, to convene the Council and Assembly to confult upon, and take proper Measures for, the Safety and Defence of the Island; but he could not be prevail'd with fo to do, tho' fo highly necessary towards the Preservation of the Island, then in a wretched Condition to receive the Enemy,

ANSWER IV.

The fourth Article is fo fully answer'd in the seventh Article, and that Dispute being therein observ'd to be determin'd by the Lords of Trade, entirely to my Glory, I have nothing here to add to it.

ARTICLE V.

That the said chief Governor has been guilty of a very great Neglect, in not employing

ploying a considerable Number of Guns fent hither by her Majesty, and her Royal Predecessors, for the Fortifications and Defence of this Island, as they were intended; but suffers them to lie in the Manner that soon must render them useless, and has suffer'd between sifty and sixty Barrels of Powder, almost the whole Store of the Fort of Monk's-Hill, to be quite spoil'd, purely thro' want of Care,

ANSWER V.

The fifth Article, which charges me with neglecting the Guns and Fortifications, is so fully answer'd in the tenth Article, I have no Occasion to repeat it. My suffering their Guns, Powder, and Fortification, to be out of Order, is certainly a Fault, if I am oblig'd to provide for them out of my own Estate; but otherwise, nothing can be more ridiculous, than their accusing me for what they will not put in my Power to do.

ARTICLE VI.

That the said chief Governor has discover'd his Disposition, in frequently insinuating in Discourse, That it was usual for Governors, in other Colonies, to be presented with vast Sums to pass beneficial Laws, particularly in Virginia and Jamaica: And that it was a Maxim amongst Courtiers, not to do something for nothing: And in his reproaching the present Treasurer with Ingratitude to Col.

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Col. Johnson, who preferr'd him to that Office; withal telling him, That it was common for those who were advanc'd to Places of Profit, to present their Patrons with half their Gains; and that he must expect, if he kept his Office, that he the said chief Governor would not be serv'd as Johnson was.

ANSWER VI.

The fixth Article farther displays the low Condition they were reduc'd to, when this Article was form'd; but since the most innocent Conversation is subject enough for an Article, I wonder they have not swell'd them to a bigher Number: My Conversation with the present Treasurer, * is so fully repeated by himself on Oath, I have no Occasion to add to it; and if they can make it criminal in me, that I have known, or said, that Governors, in other Colonies, have receiv'd Presents for passing beneficial Laws, when I have been so far from receiving any, that when their Assembly assur'd me of suitable Returns of Gratitude from them, if I would no longer infift on preferving to her Majesty her Authority and Power, I despis'd their Offer, and lost four thousand Pounds. + Such an Occasion does this Article

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^{*} Jos. French, Esq. See his Deposition relating to this Article.

† The Assembly had settled 1,000 l. per Ann. for my HouseRent; but my insisting on the Queen's negative Voice prevented
their Sitting, so that no Tax was rais'd to pay me the said Sum.

ticle give me, of proving to ber Majesty bow much I preferr'd ber Interest to all Considerations what soever.

ARTICLE VII.

That it is become dangerous for the Inhabitants to go Abroad about their Bufiness, especially to St. John's, for fear of being affronted, and expos'd to the utmost Hazards, by Persons of desperate Fortunes, whose chief Dependances are on the faid chief Governor : An Instance whereof happen'd the first of this Instant Month of June, when some Persons, being countenanc'd and warm'd by the Governor with Wine, committed the greatest Diforders and Outrages, running thro' the Streets with drawn Swords, and calling themselves the General's Friends, driving all Persons before them, beating and wounding all fuch Persons as stood in their Way; entering into Taverns, breaking open Doors, flourishing their Swords over the Heads of some, and making Thrusts at others; threatning and abusing Numbers of People; carrying their Abuses even into private Houses, to the great Dread and Terror of your Majesty's Subjects.

ANSWER VII.

The seventh Article, I must return my Lord my hearty Thanks for, had be not been pleas'd by a Letter and Direction

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of the Officers and Soldiers of his Regiment, and what high Outrages and Infults they had been encouraged by me to commit, on the Persons of several Inhabitants, it would not have so evidently appeared, that nothing can be more groundless than this Article.

Capt. Philip Walsh was the only Officer they had any Thing to say to; and I shall not do him the Injury to offer to add any Thing to the handsome Defence he made for

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There was but four Soldiers that were charg'd with any Disorder, to whom the Collonel order'd any Punishment; but it appearing by their Petition, that they were accus'd only of scolding with an infamous, drunken, lewd Woman, about two Years since, and then complain'd of to Col. Jones, who did not think sit to punish them; and that they were not allow'd to answer for themselves: I order'd them a Regimental Court-Martial, where their Accusers not being able to make out the Charge, they never appear'd against them.

I appeal to any Body, conversant with Soldiers, whether this is not an unanswerable Proof of the good Discipline I have kept the Soldiers in; that when publick Summons has been six'd for any Body to come in and complain of any Injury, Insult, or Offence

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See his Letter to Col. Jones on this Occasion.

any Officer or Soldier has done them, that the People have had no more to lay to their Charge in four Years Time. And my Lord must excuse me, if I think it very bard, that a Gentleman I had so often accus'd to bim, of neither cloathing, paying, or keeping half a Regiment, should be bonour'd by him with a Letter, which he and his Friends conceiv'd, impower'd him to act during my being General, without regarding me as such, or without being oblig'd to act agreeable either to the Civil or Military Law; but if my Friends in any Quarrel bave said any Thing they should not, without any Encouragement or Protection from me, am I any more chargeable with it than the most moderate of my Enemies are with my Assassination ? Which so many of them have attempted, and which I don't question, but several of them detest and abbor; and that they who have avow'd themselves my Enemies, bave committed more Disorders, greater Insults, and been in more frequent Quarrels than my Friends,

the Depositions † fully make out.

But as they have been pleas'd to give an Instance of the Danger the Inhabitants are under, from Persons of desperate Fortunes depending on me, I will bestow a little farther

⁺ of Capt. Walsh, Capt. Bermingham, and Mr. Ayon, with

ther Consideration on it; for the doing any Action once, is Ground enough for them to call it a frequent Practice; tho I conceive with no more Reason, than calling one Man an Army, or one Ship a Fleet; and which I leave them to clear from being equally Lyes. But to descend to Particulars, and compare the Charge with the Proofs: The Charge Says, That the 1st of June, some of these Persons, of desperate Fortunes, dependant on me, were warm'd with Wine, and countenanc'd to commit the greatest Disorders and Out-

rages.

From bence one would have expected fome Proof or Hearfay, That I countenanc'd any Person to commit any Disorder; but they are so far from proving that I countenanc'd it, or warm'd them, they do not pretend to prove they either din'd or drank with me, or of my Wine, or that I either saw or spoke with them : So little does the Diforder of the ist of June relate to me; which Disorder, the Article Says, was committed by People of desperate Fortunes, dependant on me. And their Deposition, No. 55, accuses only Mr. Wickham, a Gentleman that has a very good Estate and Wind-mill on the Mand, and who has neither Place nor Dependance on me or the Government; and whose Quarrels or Disorders, if he commits any, lie by no Means before me, but the Justices of the Peace; to whom if they had accus'd accus'd him, the Law would have punish'd or clear'd him.

Their Deposition, No. 51, relating to a Quarrel of Capt. Walsh's, in the Month of July, and which no Way relates to or mentions me; They have, by a new Deposition, No. 105, corrected and amended to the first of June, to countenance this Article; but as neither of them has the least Relation to me, I only would observe what Shifts they are reduc'd to, to be forc'd to bring one in, to contradict on Oath what he formerly depos'd, where it will turn to so little Account; for neither was Capt. Walsh a Dependant on me, he being an Officer in the Regiment, and had then the same Commission he brought out of Europe:

But the Article farther says, these People, rebom I had so warm'd and countenant'd to commit the greatest Disorders, run about the Streets with their Swords drawn, driving before them, and wounding all such Persons as stood in their Way; thrusting at some People, abusing Numbers of others, breaking open Doors, as well private Houses as others, to the great Dread and Horror

of her Majesty's Subjects.

Good God! what a Picture of Disorder is here drawn, where the Image of Lyes should be represented! What relates to me in this Article, I have already provid from their own Depositions, as I have also what relates

to the Quality and Circumstances of the People mention'd in it; and as to the Disorder, the Article describes a notorious Riot, committed by a Body of Men, when the Despositions, if I allow them (which I have no Reason) to relate to the same Day, perfectly describe two distinct Actions; of which, the one mentions no Body to be affronted but Mr. Kerby, and expresses much Civility to be us'd to him, who takes the

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The other Deposition only tells you Mr. Wickham was at a Tavern to enquire for one Tankard be was angry with, and show'd open a Door of a lower Room, where he believ'd be was, and went immediately out without insulting any one. Indeed he says, he return'd again with Mr. Ayon, and ask'd the Tavern-keeper bow he durst encourage any of the Calves-Head-Club (the common Title of the Complainants) to come to bis House? Upon which the faid Tavern-keeper interchang'd bot Words with Mr. Wickham, who is not thereby provok'd so much as to corred the said Fellow; and Mr. Ayon bears no Part in the Conversation, but telling bim, that none us'd his House, but such as sign'd against me; and I will allow them another Twelvemonth to get Depositions of the List of Persons that were thrust at, beat, and ill-us'd, and whose Doors were broke open, either publick or private Houses, and who they

they were that made such Entries, since they were as yet able to prove nothing like it, Couzens's Surgeon * being unluckily detected, when so many honest Gentlemen stood in Need of his Talent. And thus having sinish'd with the first of June, the second brings forth the eighth Article.

ARTICLE VIII.

That the faid chief Governor did, on the 2d Day of June, Instant, command a Company of your Majesty's Grenadiers to be drawn up in Arms; and in Person, on Horse-back, with the pretended Marshal, and some Officers of your Majesty's Troops, come to the House of Richard Denbow, a Tavern-keeper, where he drew forth his Piftol, and commanded the faid pretended Marshal to seize on some Gentlemen then sitting in the said Tavern; and that thereupon the faid Marshal and Officers, without any legal Writ or Warrant, enter'd with their drawn Swords, and made the faid Gentlemen Prisoners, and immediately fent them to Goal, under a Guard of Grenadiers; and that the faid chief Governor, who was then before the Door of the faid House, declar'd, he would pistol such as would refuse to surrender themselves at his Command.

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^{*} One Baldw n, who was prov'd, upon the Oaths of several Persons, to have declar'd, That he would swear for those who would give him most Money.

ANSWER VIII.

The eighth Article has indeed more Truth in it than the preceding Article; for I did, on Horse-back, with the Marshal, some Officers, and others, go to the House where one Denbow kept a Tavern, and commanded the Marshal to seize on some People there; who accordingly did seize, and commit them to Goal; and I also declar'd, at the said House, I would shoot any of those that should resist.

So much Truth in an Article, must be, by this Time, as surprising, as notorious Fal-shoods could be before one was acquainted with them: However, the Truth is told so by Halves, that when that Part, which is left out, is added to it, what then appears

will be far from a Fault.

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The Deposition | and Interrogatory * will shew you, these Gentlemen by Force of Arms publickly rescuing a Criminal, who, had in the Night, knock d down one of the Judges of the Island, and heat him in a most barbarous Manner; and how they take him out of the Hands of Justice, avowing the Action, and using Words that border very near on Rebellion; telling the Lieutenant-Governor they were in a Flame, and threatning to sling away their Scabbards. Was not this high Time to shew them I would not let her Majesty

of Mr. Michael Ayon and Mr. John Haddons.

Of Col. Yearnans, the Lieutenant-Governor.

be affronted? And that I would, at the Hazard of my Life, Support ber Authority and Dignity, and see the Laws regularly executed, without Fear of them that would fling away their Scabbards and trample on them: The Awe they are in of the Soldiers. (when they are us'd on such Occasions to quell such audacious Proceedings, and to reduce them within the Limits of the Laws, when the Constables will not affist for Fear, baving bid themselves when I call'd for them on this Occasion) is a greater Grievance to them than their Enemies at a Distance: And fo much do I glory in this Action, I could only have been asbam'd, if I had calmly sat, and seen them spurn at the Laws, without daring to support them; while they, in an insolent Manner, talk'd of flinging away their Scabbards.

ARTICLE IX.

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That the said chief Governor, by suffering the licentious and abusive Behaviour of the said Company of Grenadiers (whom he chiefly employ'd to execute his extraordinary Commands) to the Inhabitants of this Island, gives them continual Apprehensions of the greatest Acts of Violence and Hostility to be committed upon them; for his Excellency had no sooner rid away from their Head, the aforesaid second of June, than the said Grenadiers, with the greatest Insolence, affronted

affronted many Gentlemen then standing by, telling them they only wanted the General's Commands, and they would cut their Throats; and that they had more Right to their Estates than the Gentlemen themselves had, and hop'd in a short Time to make them their own: To all which they are encourag'd by Assurance of Impunity, be their Crimes never so heinous.

ANSWER IX.

The ninth Article is but a Branch of the last, and a Reslection on the Soldiers; which as they had of late so plentifully bestow'd on several Gentlemen, without any Reason, or more Proof of, than on these Soldiers, no more Credit is to be given them; and it may reasonably be presum'd, no Man will think me answerable for Soldiers prating.

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But that they are by any Means encourag'd to that, or any Crimes by me, by any Promise of Impunity, they no more attempt to make out, than the last Article but one; where, on the like Charge, I have so sufficiently expos'd them: I shall here take my Leave of them, to conclude with some Remarks on the latter Part of their Petition, which is in the following Words:

"And your Petitioners farther humbly
beg Leave to shew to your Majesty,
that by the long Continuance and Na-

" ture of the Male-Administration of the " faid chief Governor, Your Majesty's

" lately flourishing Island of Antegoa is "at present in a very miserable, diffract-

" ed, and dangerous Condition."

As to the State of the Island, and the Alteration, fince I came to the Government, that the Town is encreas'd one half in People and the best half in Buildings, is past all Dispute; and how I have encourag'dit. and to my Cost improv'd it, my Answer to Article the nineteenth sufficiently makes out.

But as the Number of Negroes and Windmills, and the Sugars they can make, is what they value themselves upon, and whereby they compute the State of the Island; by an exact Computation, (there being but twenty seven Wind-mills on the Island on my Arrival, and seventy four on it at this Time; to which a proportionable Number of Negroes being requisite) this Island may, unless by Accident, annually produce as much more Sugar, as when I came to my Government. So much therefore is it a more flourishing Colony.

And as Nevis and St. Christopher's were destroy'd when I arriv'd here, and are now in a very flourishing Condition, the annual Produce of this Government may be twice as much as when I came to it: So de todenit

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kindly do they give me an Opportunity, in the Close of these Articles, to prove how three Islands in this Government have flourish'd and encreas'd in Riches since I came among them; and the fourth * their own Addresses

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But it is still necessary that some Care be taken of a growing Evil, I mean their making the Poor uneasy on their little Plantations, 'till they are forc'd to sell them; after which they soon quit the Island, which I mention'd in the tenth Article, and which will in Time so depopulate it, that it is too likely they will become an easy Prey to their Neighbours, who encrease in People as much as this Island declines; which it will do still more, 'till it shall appear her Majesty's Interest to extinguish the factious Humour that reigns, not in this only, but in most of her Governments, which I may presume to say, will foon oblige her Governors to fall into their own Interest, and rather make their Fortunes by humouring the People, than ruin themselves by endeavouring to maintain her Majesty's Honour, and the Interest of the British Nation at their own Expence, against the Complaints which their so doing will raise against them, and which is greater than any of our Salaries. And as it is my Duty to lay what Observations appear to me for her Majesty's Interest before her, it may

^{*} Mr. Mountserrat.

may not be improper here to observe, That altho' her Majesty's Happiness is in being a Parent of her People, and having the same Interest with them, here it is very different; the particular Interest of Colonies often clashing with that of the Mother Kingdom.

And as every Body endeavours to buy cheap and sell dear, who soever will suffer the People here to buy European Goods at the Dutch Islands, which are very near us, (where they can have'em at much lower Rates than with us, and will allow them to sell them their Produce, which they can do much higher) shall always be well with the People; both which are highly prejudicial to ber Majesty, it being perfectly the Interest of Great Britain to restrain our Imports to what we receive from thence, and to make our whole Exports to be imported there, to be afterwards from thence exported to and distributed amongst other Nations, as the Law directs; and as I have in this Respect minded my Duty more than any other Consideration whatfoever, I can here give an eminent Instance of it.

My Cousin Sherrard, † now in the Guards, who was here with me, having been employ'd to make me an Offer of 10001. per Annum, if I would connive at such Practices; which refusing, I lost the Money, and made them my Enemies; which fully proves, that

^{*} See Capt. George Sherrard's Deposition.

that it's not the Interest of her Majesty to have her Governors and her People, here, hold too near a Correspondence, or to receive any Present whatsoever from them, which they would expect the Crown, in the foremention'd Manner, to repay them, in Proportion to which Indulgence from their chief Governor, they make his Present: For their Love or Hatred, good Word or had Word, always keeps an exact Pace with their Interest.

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Council of Antegoa's ANSWER

To the foregoing

ARTICLES

Exhibited against

General Parke,

To which he so often refers in his own ANSWERS to the said ARTICLES; As they were transmitted from thence, under the Broad Seal of the Leeward-Islands, with the Minutes of Council, and several other original Papers and Depositions, in order to his Justification.

To the First.

W E never heard the General fay any fuch Thing, and therefore believe it false, being oftener in his Company than other People; but we often often heard him own, with a great deal of Gratitude and Respect, the many Obligations he had to the Duke of Marlborough and the Lord Treasurer; but always fpoke of their Friendship with a

great deal of Modesty.

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We never heard him fay more, than that he hop'd to be protected whilft he did his Duty; but we cannot but observe, that this Article little agrees with what his Enemies us'd to report; which was, that he had no Friend, except the Duke; and he was out of England.

To the Second.

What the General acted when Mr. Chester was brought before him and the Council, was what all the Council then present agreed to. Col. Gamble informs us, that he was one of the Justices that took Bail for Mr. Chefter, and that the General never menac'd nor threaten'd him, nor the other Justice, that he ever heard of, for fo doing; but meeting him in the Street some little Time after. the General told him angrily, he wonder'd he should take Bail for a Man committed by himself and Council for Murder; but more especially, considering he refus'd acting in other Matters as Justice of Peace: And the Reason the General inform'd us

for his turning out the Marshal, was for suffering Mr. Chester to go at large, without any Officer with him, before he had given Bail, tho' the said Chester was committed by himself and Council for wilful Murder. We were none of us by, when the Coroner sat on the Body of Mr. Sawyer, but Major Samuel Wickham, who was the Coroner, has answer'd, upon Oath, to several Interrogatories, to which and Mr. Wright's Deposition, 't we refer, and are of Opinion, the General did no more in this than his Duty.

To the Third.

We never knew the General demanded by what Right any Man held his Land or Estate, except Col. Codrington, whom he order'd to appear before himself and Council, to give an Account by what Authority he pretended Right to the Island of Berbuda, and appointed a Deputy-Governor for the same, that Island being one of the principal Islands nam'd in his Commission; but Col. Codrington refusing to give an Account, the General, by the Advice of the Council, proceeded no farther in it; only order'd what was done to be minuted in the Council-Books, that the Lords of Trade might there take Notice of it sand one action

[†] See Mr. John Wright, Mr. Caleb Webb, and Mr. William Mais's Depositions. Cum multis aliis.

To the Fourth, Fifth, Sixth, and Seventh.

These we take to be sufficiently answer'd in the Minutes now before your Lordships. †

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To the Eighth. In va barne

This Article is notoriously false; for. at the Election of the Affembly before this, there was hardly any Disputes; and the General was at St. Christopher's for several Weeks before and after the last Assembly was call'd: We writ to him while he was there, defiring him to call a new Assembly; and thereto he return'd an Answer, and sign'd the Writs, and fent them up, but remain'd at St. Christopher's feveral Weeks after the Assembly was chose: And the first Dispute about the negative Voice, was occasion'd by the General's being off the Island, they ordering their Speaker not to fign what Laws were ready to be fent down to the General to pass: (it being their Opinion that a Law is not in Force 'till it be fign'd both by the chief Governor and Speaker) So if the General had pass'd all the Laws fent him, if when return'd, the Speaker had refus'd to fign them, they were to be no Laws; which was plainly giving the last Sanction to the Speaker, which no Assembly before thought of. And unless the General would consent,

that

[†] N. B. This Answer was sent to the Lords of Trade and Plantations.

that their Speaker should give the last Sanction, they would neither quarter the Soldiers, nor raise a Tax to pay off the publick Credit, tho' the General generously desir'd them to let alone what was then due to him for House-Rent, which was then a thousand Pounds.

To the Ninth.

Whatever Defects have appear'd in the Militia, we cannot afcribe to any unfoldierlike Behaviour in the General, or Neglect in him, but is chiefly occasion'd for Want of a proper Law, to inforce both Officers and Soldiers (by laying fufficient Mulcts on Delinquents) to do their Duty, which both the General and our felves have recommended to the Assembly, but to no Purpose. And as to the Fortifications, we have observ'd him to have been always defirous to carry them on, and particularly that of Monk's-Hill, because it was the Inclination of the People, tho' himfelf had no great Opinion of it; the Discontinuance of the Works there being occasion'd for want of the Assembly's Confent to a Law, without which they cannot be carry'd on: The removing of the Guns from the feveral Platforms was left to the General's Discretion by the Affembly, and the Treasurer was order'd to pay the Expence. The Disposition the General propos'd to make, in Case the Enemy attack'd us, was contrary to the Opinion of the Council, and the Militia-Officers, and to our former General, Col. Codrington's; but his Opinion was not made into an Order, farther than that he order'd all the Militia and Queen's Troops to meet in one Body at St. John's; which Order, at the Request of the Council, the General afterwards recall'd.

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To the Tenth.

We have heard the faid chief Governor (as Chancellor) fay, That as he found (directing to the Lawyers) the Merit and Equity of the Caufe, notwithstanding their Precedents, and what they afferted for Law, he would accordingly judge as to his Decrees: We never heard or knew of his making or pronouncing any, except one, and that was in the Case of Judge Watkins, as Executor to one Waller, to which he call'd the Council to his Assistance; which Decree, we are satisfy'd, was reasonable, equitable, and just.

As to the General's Injunctions, mention'd frequently to be granted, we know of but one, and that in the Case of Lieutenant Colonel Morris, and Capt. Wattkins,

kins, which being occasion'd by a Mistake in the Clerk in the Secretary's Office, when it was iffu'd, as foon as the chief Governor was appriz'd of it, he declar'd he was wholly ignorant of it, and express'd his Abhorrence thereof, by owning fuch Proceedings would be very unjust; and did thereupon recal the same.

We farther declare. We know of no Injunction issu'd without a Bill first fil'd. nor has any been otherwise granted, tho' there is on the Chancery-Books fuch an Order, but it never was put in Execution: Nor does the General, or either of us, remember the Clerk had any Direction for entering fuch an Order, and believe it a Mistake in the Clerk: And that which is faid by buying Bonds for one third, or half of the Value, we know not what is meant by it; nor do we understand that any Injunctions have been granted, to avoid the Penalty of a Bond, that ever came to a Hearing; if there were any fuch, the Parties made it up between themselves.

The General was very far from being arbitrary; for he always took the Advice of those of the Council that fat with him; and when the Cause seem'd intricate, he referr'd it Home for the Opinion of two Chancery-men there, as in

in the Cafe of Col. Morris and Capts Wattkins.

when it was die Eleventh. save ti nad w

We know not of his threatning to turn out any Judges or Justices of the Peace; nor did he turn out Judge Wattkins; neither do we believe he would displace any Officer for not being applicable to ill Purposes. As to the Mandamus mention'd, (tho' call'd unprecedented and unwarrantable) we think to be very just, as the Minutes of the Court of Common-Pleas and Council relating thereto, will, no doubt, very plainly manifest.

Dos To the Twelfth.

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We are in a great Measure Strangers to what is laid down in this Article; but having seen several Depositions, relating thereto, taken in Council, we have just Cause to believe the said chief Governor is well justify'd on these two Heads: The General has produc'd an Account settled with Mr. Chester, where the General has Credit given him for two Notes for Cash, for five hundred Pounds, and no Credit given him for the Difference, which at that Time was 501. per Cents between Country-Pay and Cash, which comes to more than one hundred and fifty Pounds: And we do observe, if the Brandy

Brandy had been seiz'd, two thirds would have been the General's; and it does not seem likely, that he would quit so much for so little, and to an Enemy too, without so much as a Note for it: Bribes don't use to be thus taken.

To the Thirteenth.

That we know of no Seizures made by the Order of the chief Governor, nor any Judge of the Admiralty, appointed by him, fave the present Judge, Herbert Pember, Esq; her Majesty's Attorney-General of this and the fest of the Leeward Islands; a Person bred to the Law, and of a good Life and Conversation: As to the Seizure of the fixteen Firkins of Butter, belonging to John Barbotain, we refer to the faid General's particular Anfwer to this Article, and to Mr. Brett's and Mr. Barbotain's Depositions, and also to Mr. Buckeridge the Collector's Deposition, which we conceive clears the Genetal.

He has encourag'd all fair Traders, and has never taken any Advantage of the Masters, when they had lost their Registers, which he might have done, and justify'd by the Law, and which was done by his Predecessors: We don't know, or ever heard of any Vessels seiz'd in this Island.

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Island, but a small Sloop of Major Blizard's; and after she was condemn'd, he gave his Part, because he believ'd there was no Design of Fraud. We have heard of a small Sloop he order'd to be seiz'd at St. Christopher's, that came from Curacoa, one of the Dutch Islands, belonging to Mr. Chester, and another of his, for carrying off Sugar without paying the four and half per Cent. or qualify'd as the Law directs. These are all we ever heard were seiz'd or condemn'd.

To the Fourteenth.

The General is sufficiently justify'd in what he did, being address'd by the Assembly and Council for so doing; and his recalling that Order, was after the Hurricane, there being by that Storm a great Quantity of Powder lost: The Order mentions the Reasons; and we cannot but observe, that these very Men that address'd him, have sign'd this Article, and made it a Crime.

To the Fifteenth.

We have understood the Fees, mention'd in this Article, to be so inconsiderable, that the said chief Governor has scarce thought them worth his collecting, but has given them to the respective Officers of the other Islands; and by a Deposition taken by the Collector of them

them in this Island, they have, fince his coming to the Government, amounted to no more than one hundred and thirteen Pistoles; which we judge sufficient to demonstrate the Unreasonableness of that Charge. The General informs us, that they were fettled by the Council and Affembly of St. Christophers, at his first coming; and neither the Council nor Affembly of this Island ever acquainted the General they thought them a Grievance, even when the General fent a Message to the Assembly, to know if they had any Grievances; and if they would let him know them, he was willing to redress them.

To the Sixteenth.

Being Strangers to what is set forth in this Article, we refer to the Deposition of Capt. Roach, for the Discovery of the Truth: Capt. Roach is a Merchant of a very fair Character; therefore we think his Deposition sufficiently clears the General of what's laid to his Charge in this Article.

To the Seventeenth.

We know of few or no Justices of the Peace, but what were formerly so, except one Mr. Thomas Gateward, who was recommended to the said chief Governor

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as a Person (knowing the Law, and living in the Town of St. John's) would be a fit Person to put into the Commission of the Peace, to keep the Town in Order; and others refusing to act, he was put in accordingly: Nor do we believe, (as we take him to be the Person chiefly hinted at) that he is of fo despicable a Character, as is fet forth in their Article. We are of Opinion, that when he was by us recommended to the General, (for the Reasons above) he was a perfect Stranger to him, it being on his first coming: He was also recommended to the General to be Master in Chancery, there being no Body fitter for it that would accept of it.

To the Eighteenth.

We know that John Ham, in this Article mention'd, had the Command of one of the General's Sloops; and it is not deny'd, but it has been reported, that he kill'd some Spaniards (mention'd) in cool Blood; but it was the Beginning of this War, when we were in Enmity with them. And tho' the Action was no Way commendable, yet we see not what Occasion there was for a Pardon, nor do we think he ever apply'd for, or any was ever given him: He lives with his

Family at St. Christophers, and may be taken up at any Time; and we are confident the General will not protect him from Justice.

To the Nineteenth.

Tho' we refer to the feveral Depositions taken on this Occasion, yet we cannot but own, we have frequently heard the General express himself with a peculiar Regard for this Island, often saying, he was forry the Gentlemen were fo blind, as not to fee their true Interest; for that he was willing (burying all past Offences in Oblivion) to do them all the Service he could, and would still endeavour their Welfare, if they would recant their Follies, and go heartily about publick Business, as they ought to do, or Expressions to that Purpose: And the Fatigue he underwent at Monk's-Hill and the Town, and his coming from St. Chri-Rophers, and fending for all the Troops when he heard of a French Squadron's coming out, and fending for the Troops to the Assistance of this Island, when we heard of Monsieur du Cass's coming, are Arguments beyond all Dispute, of his Zeal for the Defence of this Island.

To the Twentieth.

We are wholly Strangers to any fuch Expressions proceeding from the General, be

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ral, nor ever heard of fuch a Report, 'till fince the Articles were fent over; but he has been often heard to fay, if the Gentlemen had any Thing to exhibit against him, they would do well to act in a proper and publick Manner, and not in private Cabals, traducing the Ignorant, and forging Falsities: And that when last Year he was bound to Leeward, he fent to the Assembly to acquaint them, if they had any Grievances to remonstrate Home, and that if they were streighten'd in Time, he would retard his Voyage two or three Days, until they had accomplish'd what they were about; and farther declar'd, (so far was he from threatning any Body) That he would hire his Sloop to any, that should be appointed to carry for England any Articles of Complaint against him; and we have farther Reasons to believe, he never propos'd to stop any Body on that Score, because Mr. Nevin's designing on that Errand being pretty well known for fome Time before he went, the General might easily have stopp'd him, if he would, but did not, nor never attempted it; but we know, (on the contrary) has often declar'd, That if Mr. Nevin would fet up his Name, or give Security for the Payment of his Debts, which the Law requires,

quires, he would fign a Ticket for his going; and Mr. Nevin having done neither of these, the General might lawfully have stopp'd him, yet did not; and when he went away, (tho' he did not take Water at St. John's) he did it in the Day-time publickly; and most of those who had sign'd the Articles, conducted him to the Water-side.

To the Twenty First.

We neither knew, nor heard of any Commission refus'd, since the Act of Parliament relating thereto; nor have we known, or heard of any Tenths, or other Sums exacted for his Commissions; but we knew it has always been the Custom for Privateers to pay the Tenths to the Lord High-Admiral; and that he has paid one Tenth, and more, out of what has been taken by his own Privateers; and that, according to Agreement with the Commanders that went in them, which we think lawful fo to do for any one, it being reasonable, that the Owner, for his Vessel, and victualling her, should draw what Part he agrees for: And we must also do the General this Justice, to own his Privateers were of great Service to the Islands, by keeping off the Enemy's Privateers; and as foon as the Act

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of Parliament for Encouragement of Privateers came out, the General dispos'd of all his.

To the Two and Twentieth.

We refer to the Depositions taken on this Occasion, there being nothing said in this Article that is of our own Knowledge, but have often heard the General say, That he has often walk'd in the Night, to see if there were no Soldiers out of their Quarters; and that he had sav'd the Town from being sir'd.

> John Teamans, Lieut Governor, John Hamilton, William Codrington, Thomas Morris, George Gamble, Richard Oliver.





MINUTES

OF THE

General COUNCIL and ASSEMBLY
of the four ISLANDS, held at

St. Christophers, In the Year 17%.

St. CHRISTOPHERS.

A Ta Meeting of his Excellency Daniel Parke, Esq; Captain-General and Commander in Chief in and over all her Majesty's Leeward Caribbee Islands in America, and the Gentlemen of the General Council of the respective Islands, the 23d Day of March 1709-10.

Present,

Present,
His Excellency the General.

Henry Burrell,
Stephen Payne,
James Bevon,
John Norwood,

George Lyddell,
George Milward,
John Hamilton,
William Byam,

William Martin being appointed Clerk of the Council, and Caleb Rawleigh Clerk of the General Assembly, did take the usual Oaths, and subscrib'd to the Test.

The Gentlemen of the Council abovemention'd, did also take the Oaths as the Law directs, and subscrib'd to the Test.

The several Gentlemen of the Assembly hereafter-mention'd, did this Day appear before his Excellency the General, and General Council, and did take the Oaths as the Law directs, and subscrib'd to the Test, viz.

Rob. Cunningham, Clement Crooke, Fasper Verchell, Anthony Ravell, William White, Edward Parsons, William Barzey.

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Anthony Fox,
Sam. Watkins,
John Painter,
John Duor,
Rich. Cochran,
Da. Mc. Kennen,
Ralph Whillet,

The

The Gentlemen of the General Assembly aforesaid, being sworn, were defir'd to withdraw, and make Choice of a Speaker, and present him to his Excellency the General and the Council, at four of the Clock in the Afternoon.

At the Time appointed, his Excellency the General and Gentlemen of the Council fent to the General Assembly, to know if they had made Choice of a Speaker; at which Time, the General Assembly came up, and presented Robert Cunningbam, Gent. Speaker of their Assembly.

His Excellency the General (after waiting some Time) expecting the Speaker to say something in the Behalf of himfelf and the Gentlemen of the General Assembly, but continuing silent, his Excellency the General deliver'd himself in the following Manner: Which Speech, before the Speaker and General Assembly came up, was read, and unanimously approv'd of by the General Council.

Gentlemen,

Have call'd this General Council and Assembly, pursuant to an Instruction I receiv'd some time since from the Lords Committee of Trade, in order to have a good Law pass'd for the establishing Courts for the whole Government;

'vernment; for the Laws that were 'made at Nevis, are rejected by the 'Queen; and the Law which is in Force in Antegoa, has taken such Care of all 'Debtors, no Man need pay his Debts 'there, except he pleases, it being scarce 'possible to levy an Execution as that 'Law directs.

'Twould be needless for me to acquaint you what Discouragement Trade lies under, and how much the Island fuffers for Want of an easy and quick

'Method for Recovery of Debts.

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'I am also to inform you, That I have 'another Instruction to recommend to the 'General Council and Assembly, to establish by a Law a certain Sallary for the 'House-Rent of the Chief Governor, to 'be paid by the whole Government, in 'Proportion to the Time he shall reside on each Island; and when you pass 'such a Law, I am then to repeal the 'Laws (made at my first coming) by the 'Assembly of Antegoa and St. Christo-pher's.

'I earnestly recommend to you the 'Militia, to make it more serviceable; 'that both Officers and Men may do 'Duty, at the necessary standing Guards of each Island, and a necessary Provision be made, both to repair and carry on the Forts and Platforms, and to sup-

ply

ply them from Time to Time

what is wanting.

' And as the Cartel was fettled at the earnest Request of the whole Govern-'ment, I perswade my self you will so ' provide, that the Sloops impress'd for that Service be regularly paid; and I ' shall readily agree, that a Clause be inferted to punish (even with Death) those that shall (by Means of the Flags of Truce) drive a Trade with the Ene-'my; and I desire you to make a strict Enquiry after those (if there be any 'fuch) that have already been guilty of carrying on any fuch Trade, or have been guilty of the Breach of any penal Law; for I promise you I will protect 'no Offender of what Kind foever.

'I recommend to you to take Care of the Government, that all those that have trusted the Publick, or shall do fo for the future, be paid off at least

' within the Year.

'I must also acquaint you, that on the ' 29th Day of January last, I had Advice, that feven French Sloops had landed some Men on Montserrat the Day 'before; and tho' they had reimbark'd their Men, yet they hover'd still about the Island, and they did expect they would land in some other Part, being fitted out, as they were inform'd, on · Pur-

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ng n r'Purpose to plunder that Island; there-'fore they begg'd of me to bring them 'all the Assistance I could.

'tine and a Sloop, (the Man of War be-'ing gone on a Cruize to Windward) and 'the next Day embark'd what Men I 'could, and went to their Assistance.

'to fubfift the Men.

'The Treasurer of Antegoa refuses to 'pay for the same; and, unless the Ge'neral Assembly takes Order for the 'Payment, I must be at that Expence my 'self.

'I hope you will think it necessary to provide by a Law, that all such extraordinary Charges be paid by the Treasurer of that Island where such Impresses are made, in order to be brought in as a general Charge; for otherwise, a Chief Governor's Zeal for the Good of his Government, may prove his own Ruin; for in the like Case, such Expedition is required, as not to admit of the Meeting of an Assembly; for an Island may be lost before they can be summon'd.

'I also recommend to you the paying of the publick Charge, by a Tax on Negroes throughout the Government; for as Slaves are the Riches of these Islands, so each, as it increases or decays,

'will pay more or less; for since the se-'veral Quota's were settled, two of the

'Islands are much impoverish'd by the War, and Montserrat by the Sterility

of their Land; and consequently not able to pay the Quota as formerly;

' whereas Antegoa is grown much richer,

and able to pay more.

'I must also put you in Mind of providing a better Maintenance for the

'Clergy; for the present Allowance is not a sufficient Encouragement for good

Men to come to, or remain with us:

'If you will provide Glebes, and increase

the Salaries, I have no doubt, but in a little Time, the Parishes will be fill'd

with able and good Ministers.

'The Regiment is a great Charge to the Queen, and very ferviceable to the

'Islands, and I think ought to be encou-

' rag'd, by having Quarters given to the 'Men.

'I hope you will take some Care of the Soldiers: I speak to you, Gentlemen of Antegoa, Nevis, and St. Christopher's; for Montserrat has always given

Quarters to those sent thither.

· And,

'And, to conclude, I promise you to 'pass all such Laws you shall think may 'be beneficial for this Government, pro'vided they are drawn up agreeable to 'my Instructions, and not repugnant to 'the Laws of Great Britain, being very 'willing to oblige you in any Thing that 'lies in my Power.

'Therefore, I hope you'll lay aside all Heats, and calmly embrace this Opportunity of making such Laws as may be for your own Honour and the Good of

'all the Island.

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After which Speech, both Houses adjourn'd until to Morrow at Ten of the Clock.

St. CHRISTOPHERS.

A T a Meeting of his Excellency Daniel Parke, Esq; Captain-General and Commander in Chief in and over her Majesty's Leeward Caribbee Islands in America, and the Gentlemen of the General Council of the respective Islands, the 24th of March 1709-10.

Present,

Present,
His Excellency the General.
Henry Burrel,
Stephen Payne,
James Bevon,
John Narwood,
Will Byam.

Clement Crooke, and Mr. Anthony Ravell, Gent. Members of the General Assembly, presented the following Message.

St. CHRISTOPHERS.

The Gentlemen of the General Assembly, to bis Excellency the Captain-General, in General Council.

R. Caleb Raleigh having appear'd with his Excellency's Commission to serve as Clerk to the General Assembly, it's the Opinion of this House, Nemine Contradicente, That it is their Right and Privilege to appoint their own Clerk, and any other Officer or Servant thereto belonging.

Pated at Old-Road, Rob. Cunningham, Speaker.

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His Excellency the General and Council order'd the aforesaid Message to be read, and, in Answer thereto, sent the following Message, being first read, and unanimously agreed to in Council.

St. CHRISTOPHERS:

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His Excellency the General in Council. to the Gentlemen of the General Assembly. oli mov wolfs liw let bus lesso

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Gentlemen, Swoll out appoliving out its 'I Am forry your House, should be either fo much unacquainted with the 'Constitution of the House of Commons' 'in England, or defire to proceed after a 'different Manner; for I should think 'the Lower-House of the General Assembly should value themselves, for proceeding, as near as may be, after the Precedent fet them by fo august an 'Affembly.

'I do affure you, that not only the 'Clerk, but all their other Officers, are appointed by the Queen's Authority, and not chose by the House: for they are Officers before the Members are a 'House; for the Clerk, before the Election of the Speaker, regulates their Proceedings, as well as takes the Minutes, and divides the Members in the Electi-

on, if there be a Contest: And if several Members rife at the same time to fpeak, he points to him that shall speak first; therefore, what you mention in your Message, is inconsistent with the Nature of a House of Commons: But 'if you dislike Mr. Rawleigh for your 'Clerk, and desire any other, I will gra-'tify you: I appointed him, as he is the Deputy-Secretary of this Island, being willing to encourage all the publick · Officers; and as I will allow your House 'all the Privileges the House of Commons of England have, (with which, I think, you ought to be fatisfy'd;) fo I must

' take Care of her Majesty's Prerogative

which she has intrusted me with.

Sign'd by Command,

Dated March 24. 1709.

Will. Martin, Cler' Concil'

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In Answer to the foregoing Message, two of the Members of the General Affembly presented the following Message to his Excellency the General and Council, which was order'd to be read accordingly. for the Clerk before the the

of the Speaker, regulates their Pro--IRHO .tZ as well as takes the Minures. and divides the Members in the Hiefti-

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St. CHRISTOPHERS.

The Gentlemen of the General Affembly, to his Excellency the Captain-General in General Council.

HIS House desires a Copy of your Excellency's Speech made to them Yesterday, with the Votes and Returns of the Writs for the present General Assembly.

'It has been usual, from the first Settleinent of the Islands, that a Member of the Council do bring an Answer to all Proposals sent by the General, or particular Assemblies; which Custom this House desires may be continued.

Dated March

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Rob. Cunnyngbam, Speaker.

The aforesaid Message being read, his Excellency the General and Council sent the following Answer; being first read, and unanimously agreed to, by his Excellency and General Council.

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St. CHRI-

St. CHRISTOPHERS.

His Excellency the General in Council, to the Gentlemen of the General Affembly.

Gentlemen,

. A Coording to your Defire, I have fent you a Copy of my Speech: As for the Votes and Returns of the Writs, I have them not: The usual Met-'hod in England is, That when the Election 'is over, the Returning Officer, when he ' has made his Return, (which is done on 'the Backfide of the Writ) delivers it to the Members that are chose, and ' they carry it to London, and deliver it ' to the Clerk of the Crown: At the same Time he delivers a Copy of the Pole to every Candidate that defires it. The · House never troubles themselves about

the Writ, except upon a Petition for

' an undue Election, and then the Clerk of the Crown attends with the Writ;

and as the Election is carry'd in the · House, the Return either remains as it

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was, or the Clerk of the Crown is or-' der'd to mend it.

"We have no fuch Officer here; but 'as the Writs were issu'd out at Antegoa,

they ought to have been return'd to

the Secretary's Office there; and one of the Clerks of that Office ought to ' have attended your House with the Writs and Returns seb trend a and but?

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But as you have a Law which regu-'lates the Elections, and provides that 'all Controversies, relating thereto, shall be determin'd on the Spot, by the Ma-'jority of the Council and Affembly in 'each Island where the Election is made, 'there is no Occasion for the Secretary's Clerk to attend with the Writs, or Returns, or the Pole. Moderal side Share

'I am oblig'd, by my Instructions, in 'the passing all Laws, to follow the Me-'thods us'd in England, as near las the 'Circumstances of the Islands will admit of; and, as I am the Chief Governor, 'I have the Honour to represent the 'Queen's Person; the Gentlemen of the 'Council represent the House of Lords 'in their Legislative Capacity; and the Gentlemen of the Assembly, the House of Commons.

'I take it as a very great Happiness 'for all the Colonies, that her Majesty is pleas'd to allow them the Honour to proceed after the same Manner, as her Majesty, the House of Lords, and Commons, do in England. with thomas of ve the Centlemen of the General Affantalist

with yet strong on Q 3 show of to Now,

New, No Lord goes into the House of Commons, but on extraordinary Oc-

casions, and with a world of Geremony,

'and has a great deal of Honour done him when he so does! All Messages are

fent by the Usher of the Black Rod, or

by fome of his Deputies, except upon

fome folemn Occasion, when the Queen

fends for the whole House to attend her, then one of the puny Judges is

IL re is no Octation for the Secretanal

'I send Messages by the Marshal, because he is the Ministerial Officer of

the Island, not having any other proper

Officer; but when there is Occasion for

your House to attend me, I will send

one of her Majesty's Council with the

Message, having prevail'd with them to

condescend to carry it.

Dated March

Sign'd by Command,

Will. Martin, Cler' Concil'

Caleb Rawleigh, Gent. commissionated by his Excellency the General, to act as Clerk to the General Assembly, came up to this House, and inform'd his Excellency in Council, that he was turn'd out by the Gentlemen of the General Assembly, without he would act as Clerk by their Election, fe

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Election, and not by a Commission from the General; and that the General Afsembly had made Choice of one Giles Coker to act as their Clerk, and were going to swear the said Coker; upon which the Marshal was sent to bring the said Giles Coker before his Excellency the General and Council.

His Excellency the General ask'd the Opinion of the Gentlemen of the Council, whether or no the said Giles Coker should not be committed to the common Goal of this Island, in Case he should presume to act in that Station otherwise than by Virtue of his Excellency's Commission.

The Gentlemen of the Council were unanimously of Opinion, that it was requisite, that the said Giles Coker should be committed for such his Contempt.

Whereupon Giles Coker was call'd in, and ask'd, if he acted as Clerk of the Lower House? Whose Answer was, he was chosen by them. The said Giles Coker was then told by his Excellency the General and Council, That the Gentlemen of the General Assembly had no Power to chuse him; but that if they would address his Excellency for to give the said Coker a Commission, that the said Giles Coker should have one; but that if the said Giles Coker did presume to

act without the General's Commission, he should then be committed; and was order'd to acquaint the Gentlemen of the Assembly therewith.

Upon which, both Houses were adjourn'd until Monday following, at Ten of the Clock in the Forenoon.

St. CHRISTOPHERS.

A Ta Meeting of his Excellency Daniel Parke, Esq; Captain-General and Commander in Chief in and over all her Majesty's Leeward Caribbee Islands in America, and the Gentlemen of the General Council the 27th Day of March 1710.

Prefent,

His Excellency the General.

Henry Burrell,
Stephen Payne,
James Bevon,
John Norwood,

William Byam,

cil, not receiving any Message from the Gentlemen of the General Assembly, they sent the following Message, being sirst read in Council.

St. CHRISTOPHERS.

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His Excellency the General and Council to the Gentlemen of the General Assembly.

Gentlemen,

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leigh, your Clerk, came and inform'd us that you had turn'd him out, notwithstanding he produc'd his Commission, and was not only sworn to the Oaths enjoin'd by Law, but took an Oath to keep secret all your private Debates, and to make due Entry of all Messages; and that you, of your own Authority, were going to swear one Coker.

In my Answer to your Message, about the Clerk, I told you, if you dislik'd Mr. Rawleigh, I would appoint any other that you should recommend; and notwithstanding your proceeding in going to swear one Coker, without being appointed by the General, Coker being sent for, was told, if the Gentlemen of the

Assembly would, by an Address to the General, desire he might be their Clerk,

he would appoint him, being defirous to gratify them in any Thing he could

justify, and bid him acquaint the House

therewith; but, if he presum'd to act as their Clerk, without being appointed

by the General, he would be committed by the Council for his Contempt.

We were in Hopes, when we faw your last Message was writ by Mr. Raw-

'leigh, and that you had let him enter all that had pass'd, you were well sa-

tisfy'd with him; and that you would enter upon Business, and make this a

fhort Seffions.

We, therefore desire you, either to accept Mr. Rawleigh, or recommend

fome other, that we may proceed

to do what may be for the publick

ed by the General, Color being feat for, was cold, if the Gentlemen of the

Pated March 37, 1710.

Sign'd by Command,

Will. Martin, Cler' Concil'

In Answer to the foregoing Message, Richard Cochram, and Anthony Fox, Gent. Members of the Assembly, presented the following Message to his Excellency and Council, which was order'd to be read.

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St. CHRISTOPHERS.

The Gentlemen of the General Assembly to his Excellency in Council.

TT cannot be reasonably expected, that this House should be perfectly vers'd in the Rules and Customs of the House of Commons of England, neither do we 'take upon us fo to be; but this, with 'humble Submission, we take Leave to 'affure your Excellency to be Matter of 'Fact and Truth: That it hath been the constant Practice, Use, and Custom, of general and several Assemblies, from the first Settlement of the Islands, 'to make and appoint their own Ser-'vants, as Clerks, Messengers, &c. and 'hath been so far from being deny'd to 'the respective Assemblies by former 'Chief Governors, as it doth not appear 'to be fo much as once question'd, 'till now, by your Excellency: If a long 'continu'd and uninterrupted Use doth obtain the Force of Law, this must become such to us, being neither deny'd · by

by any Statute-Law of England, or the · Colonies; and fince her Majesty is · pleas'd to favour and have Regard to the Custom and Usage of the Islands, as is evident by a Paragraph in your Excellency's Commission, (viz. And we do · bereby give and grant unto you full Power and Authority, with the Advice and Confent of our Councils, respectively from time to time, as Need shall require, to summons and call Assemblies of Freeholders and · Planters, jointly and severally, within any of the Islands under your Government, according to the Custom and Usage of the faid Island) we could heartily wish, and think our felves happy, if your · Excellency would please to form Meafures agreeable, in this Cafe, to the Directions of our great and gracious Sovereign, and not perfift to deprive us of fo known and hitherto uncontested 'a Privilege, which this House can never e give up, without transmitting to Posterity an ill Precedent, nor without Ble-' mish to our Honour, by a bad Discharge of the great Trust repos'd in us, by the feveral Islands.

March 27, 1710. Rob. Cunningham, Speaker.

The aforesaid Message being read, in Answer thereto, his Excellency the General and Council unanimously agreed to send the following Message.

St. CHRISTOPHERS.

His I nominated

His Excellency the General and Gentlemen of the Council, to the Gentlemen of the General Assembly.

Gentlemen,

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WE are forry you should be so mistaken in what you call a long-continu'd and uninterrupted Use; if you will search the Records, you will find, even in Antegoa, no Assembly for several Years, that any Record is made of; and the People in St. Christophers, all the last War, were govern'd by the Governor, and a Council of Militia Officers; and the Fort of Brimforton-Hill was then built.

'I might as well plead for this Sort of Government for † Anguilla, Spanish Town, and Tortola, who have no Assemblies to this Day, nor desire any; nor do I find any Notice taken in those Assemblies that are recorded to have been, whe-

ther the Clerk was appointed by the Governor, or chose by the Assembly;

⁺ Three Islands in that Government.

and fince no Notice is taken of it, I may

very well presume they were appoint-

ed by the Governor, that being the

Method every where else in Use.

'Tho' by my Commission I am to proceed according to the Custom of the

'Islands, yet, by my Instructions, I am,

in passing Laws, to follow the Customs

of England, and not to pass any that shall be repugnant to the Laws thereof.

And your pretending to chuse your

'Clerk, and the other Officers of your

House, is not only contrary to the

Queen's Prerogative, and the Practice of

' England, but (especially what relates to your Clerk) is impracticable; for your

Clerk is an Officer, before there is a

. House and after 'tis dissolv'd; for he

is a fworn Officer, and keeps the Jour-

" nals, and all the Records by him.

'And notwithstanding you say no Ge-'neral ever contested this Privilege, I

cannot find, by any of the Records, whe-

ther they did or not.

At my first Coming, I found every

'Affembly had a Clerk, but knew not

who had appointed them, nor enquir'd;

but finding, in the last Assembly of Ante-

gon, feveral Messages sent me and the

Council, as the unanimous Opinion of the House, when several of the Mem-

bers inform'd me and the Council, they

not

not only oppos'd them in the Debate, but divided against them when put to the Vote, which made me enquire, whether the Clerk was not fworn? they told me, 'No; and upon farther Enquiry, found their usual Way was, for some one of 'their own Members to act as Clerk, as 'Col. Rogers did, 'till he voted against 'the Majority of the House; and he 'laying it down, they had three feveral 'Clerks in one Week, and would fuffer 'none of them to be fworn to make due 'Entries of what pass'd the House: And 'the Clerk was order'd not to give me a 'Copy of their Proceedings, tho' I am 'oblig'd, by my Instructions, to send 'them to the Lords Committee, from Time 'to Time; and for Fear he should give 'me a Copy, the Speaker carry'd the Books to his own House.

'This, next to the Regularity of the Proceedings, and my Instructions, is the 'Reason for my appointing the Clerk, ' which I know to be the Queen's Prerogative, and what I cannot recede from.

But suppose my Predecessors neglect-'ed their Duty, or were ignorant what was your real Privileges, and what the 'Queen's Prerogative, that is no Excuse

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'I find a great many Concessions made by my Predecessors, that I durst not al-

· low of; and you can't be unacquainted

with the Reason for such their Con-

cessions, which now the Queen has pre-

vented; but the Time is so short since any Form of Government was settled,

that you cannot plead Custom, Time out of Mind, for this, or any Thing else.

Tis plain I desire no Advantage by appointing your Clerk, since I offer to

appoint any one you shall desire, and will continue to do so, whilst I have

the Honour to be your Governor.

What I defire, is only a regular Proceeding; and I am very fure, when

you are once settled in such a Method,

you will be better pleas'd, than in the

'irregular Way you would now proceed

Therefore we hope you will wave this Dispute, and enter immediately on

· Business.

Dated March 27, 1710. Sign'd by Command,

Will. Martin, Cl' Concil'

The aforesaid Message being sent to the General Assembly, both Houses were adjourn'd until to Morrow Morning at eight of the Clock.

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St. CHRISTOPHERS.

T a Meeting of his Excellency Daniel A Parke, Esq; Captain-General and Commander in Chief in and over all her Majesty's Leeward Caribbee Islands in America, and the Gentlemen of the General Council, this 28th of March 1710.

green b'hatig Present, His Excellency the General. Henry Burrel,
Stephen Payne,
James Bevon,
John Norwood,
George Lyddel,
Geo. Milward,
John Hamilton,
Will. Byam,

John Painter and John Duor, Gents. Members of the General Assembly, prefented the following Message to his Excellency and Council.

ic storefuld Message being read be big Excellency and Connoil, it was

widered A denoted Selver of Jack

uniquily sereed by his dixection

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St. CHRISTOPHERS.

The Gentlemen of the General Assembly, to bis Excellency the General, in General Council.

IN order to wave any farther Disputes about a Clerk, and that the publick Business, for which we are conven'd, may not be retarded, this House have ' thought fit to lay by Mr. Coker, as well 'as Mr. Rawleigh, and have pitch'd upon 'Capt. Clement Crook, a Member of our ' House, to act in that Place; which Ex-' pedient we hope his Excellency will 'approve of, and not, by disallowing it, wholly discourage us to enter upon Bufinefs.

Dated at the Old Road, 1710.

lembers of the General March 28, 3 Ro. Cunnyngham, Speaker. Hency and Council.

John Painter and

The aforefaid Message being read before his Excellency and Council, it was unanimously agreed by his Excellency and Council, that the following Message should be sent to the General Assembly.

St. CHRISTOPHERS.

we once more defire von

His Excellency the General in Council, to the Gentlemen of the General Assembly.

Gentlemen,

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fage, that at Antegoa, at the first coming of the General, and 'till' the last Sessions, they us'd to have one of their Members to act as Clerk; but that Assembly were so sensible of their being in the Wrong in that Assair, that as soon as there arose any Dispute about their irregular Proceedings, of their own Accord they took a new Clerk. We are well satisfy'd, no Member of either House can act as Clerk; 'tis against all the Rules; but if you will recommend any one that is not a Member, be it who it will, the General will appoint him your Clerk.

We cannot fee why your House should spend all this Time in contending for what can't be allow'd; the General, in his Speech, has desir'd nothing of this Assembly, but what is for the Good of all the Islands, and what indeed we ought to have address'd him to grant.

'Therefore, we once more defire you feriously to enter on Business.

Dated March 27, 1710.

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Sign'd by Command,

Will. Martin, Cler' Concil'

The following Message was presented by William Barzey and Ralph Whillet, Gents. Members of the General Assembly, to his Excellency the General in Council.

St. CHRISTOPHERS.

The Gentlemen of the General Assembly, to bis Excellency the General in General Council.

SINCE we are affur'd, that what this 'S House insists upon, as to the appointing our own Servants, doth evidently appear, from Custom and Reason, to be our undoubted Right, and are refus'd

it by your Excellency, unless we will accept it of Grace, it is our Resolution

'never to condescend to receive it on those Terms; and, of Consequence, the

denying us our known Privileges, will,

'if not remedy'd, put a Stop to all manner of Business.

March 28, 1719. Rob. Cunnyngham, Speaker.

The aforesaid Message being read before his Excellency and General Council, it was unanimously agreed by this House, that the following Message should be sent to the General Assembly.

St. CHRISTOPHERS:

His Excellency the General in Council, to the Gentlemen of the General Assembly.

Gentlemen,

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No fuch Privilege, as to chuse your own Clerk; and the General will never condescend to allow you what no Assembly in all the Queen's Colonies ever pretended to, except Virginia; who, on the General's own Knowledge, the Year before the Revolution, contested it with my Lord Essingham, and, for some considerable Time, would do no Business, 'till they were given to understand some other Measures would be R 3

taken to govern the Colony, if they

would not proceed after a regular Man-

ner, and would contend for Privileges

never any House of Commons ever thought of: They had much greater Rea-

fon to pretend a Custom, Time out of

'Mind, for it, having had at that Time

' Assemblies for eighty Years.

'There has been feveral unwarrantable 'Things done in this Government, which

I shall, by Degrees, rectify: In Mont-

' ferrat they us'd to raise Money, before

'I came, without a Law; I alter'd that

' Custom, and they consented to it, with-

out half this Dispute.

Your infifting on this, after the General had told you he would appoint any one you should recommend looks as if

one you should recommend, looks as if you design'd to do nothing: This is like

the Assembly of Antegoa, when they

had no Mind to raise a Tax, they insist-

ed on the Negative Voice; and now

the only Way to avoid repealing the

Law for Courts, now in Force in Antegoa,

is to insist on Privileges you have no

Right to, nor is consistent with the Na-

ture of your House.

Dated March 28, 1710.

Sign'd by Command,

Will. Martin, Cler' Concil'

The aforesaid Message being sent to the General Assembly, both Houses were adjourn'd until Thursday, the 30th Instant, at eight of the Clock.

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St. CHRISTOPHERS.

A Ta Meeting of his Excellency Daniel Parke, Efq; Captain-General and Commander in Chief in and over all her Majesty's Leeward Caribbee Islands in America, and the Gentlemen of the General Council, this 30th Day of March 1710.

Present,
His Excellency the General.
Henry Burrell,
Stephen Payne,
James Bevon,
George Lyddell,

Present,
George Milward,
George Milward,
William Byam,
George Lyddell,

A Petition of Major Edward Buncomb was presented to his Excellency and Council, which being read, it's the Opinion of the General and Council, that the Petitioner's Prayer ought to be granted; and was recommended from this House

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to the Gentlemen of the General Assembly.

The following Message from the Gentlemen of the General Assembly, was presented to his Excellency and General Council, by Clement Crook and Ralph Whillet, Gents. two of the Members of the General Assembly, which was order'd to be read.

St. CHRISTOPHERS.

The Gentlemen of the General Affembly, to his Excellency the General in General Council.

THE Messages we have hitherto receiv'd from his Excellency in Council, by the Hands of a Deputy-Marshal, seems to us no other than an Indignity offer'd our House; it having been the constant Usage, to have Message

ges communicated from one House to the other by the respective Members of

the same: And whereas the Assembly hath always transmitted their Messages

• by two of their Members, it's the Re-• folve of this House, for the future, to

receive none from the General in Council, cil, but what shall be brought us by a make of a Council.

Pated at the Old Road, March Ro. Cunnyngham, Speaker. 30, 1710.

The aforesaid Message being read before his Excellency and Council, it was unanimously agreed by his Excellency and Council, that the following Message should be sent to the General Assembly.

St. CHRISTOPHERS.

His Excellency the General in Council, to the Gentlemen of the General Assembly.

Gentlemen,

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IN a former Message, the General in Council acquainted you with the Method of sending Messages from the Upper House to the Lower; but he did forget to inform you, that when any Message is sent from the Lower House to the Upper, some of the Members of the Lower House carries it, and there goes a greater or smaller Number of Members with the Messages, as it is of greater or less Consequence; and as he has already told you, as your House

represents the House of Commons, so does the Council the House of Lords;

and he is very certain there is no Lord,

but would take it as a very great Indignity offer'd to him, to be fent with a

'Message to the Commons; and as there is no other Officer, he is oblig'd to make

'Use of the Marshal, or his Deputy.

As to what you fay has been customary, it has no Weight with it, because it has been for so short a Time, as not

to be call'd properly a Custom.

'The General farther acquaints you,
that it has been customary to make
great Presents to your Chief Governor;
but the Owen facing the ill Confe

but the Queen, seeing the ill Consequence thereof, has order'd her Gover-

'nors to take none; the my Predecessor,

'Col. Johnson, took eight hundred Pounds from Antegoa; and to avoid its appear-

ing on the Minutes, it was given to Col. Rogers, for Service done by him;

and, in Return, Col. John fon let the Assem-

bly assume what Privileges they pleas'd.

'The General's Predecessor's Concession on is the Reason he has all these Dis-

putes, and has laid him under the Mif-

fortune, either to betray his Trust, by disobeying her Majesty's Instructions, or

disoblige the Assemblies.

Pated March 27, 1710.

Sign'd by Command, Will. Martin, Cler' Concil' ar

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The aforesaid Message being sent to the General Assembly, both Houses were adjourn'd until Saturday at Ten of the Clock.

St. CHRISTOPHERS.

T a Meeting of his Excellency Daniel A Parke, Esq; Captain-General and Commander in Chief in and over all her Majesty's Leeward Caribbee Islands in America, and the Gentlemen of the General Council, the 1st Day of April 1710.

Present.

His Excellency the General. ? Geo. Milward, Henry Burrel, John Hamilton, Stephen Payne, John Norwood,) A

Will. Byam.

His Excellency the General and Council having adjourn'd the Assembly to this Day, fome Time after the Deputy-Marshal had left the Message with them for their Adjournment, William Barzey and Ralph Whiller, Gents. Members of the General

General Assembly, came and deliver'd a verbal Message, That they had adjourn'd themselves until Monday next.

The General told them, he would receive no verbal Messages from them, for it was the Occasion of many Mistakes; and that he was very forry they would not be inform'd what was the right Method of proceeding, fince themselves acknowledg'd they were unacquainted with the Proceedings of the House of Commons.

The General, therefore, desir'd the Opinion of the Council, if he should not prorogue them for four or five Days; hoping they would, in that Time, inform themselves better, and then proceed to Business: The Council unanimously gave it as their Opinion, that they be prorogu'd to Thursday next, being the 6th Instant; and a Proclamation is order'd accordingly.

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St. CHRI-Marchael Lat 18 th will be with the Marchael

that fince he came from Felond, which is St. CHRISTOPHERS.

then dealer was a lane Walternedt By his Excellency the General and Council.

HESE are to give Notice, That the General Affembly is prorogu'd funtil Thursday the 6th Instant.

read to each Company, and afterwards Sign'd by Command, 1 11

1, 1710.

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Pated April . diswollol so al doil w noising Will. Martin, Cler' Concil'

To be Ewelland Daniel Parke, L The following Petition was presented to his Excellency and General Council, by Charles Bowes, Serjeant of Grenadiers. in the Behalf of himself and the rest of the Serjeants and Soldiers belonging to the Hon. Col. James Jones's Regiment, now in this Island; whereupon his Excelleney the General ask'd the faid Charles Bomes, Whether all the faid Serjeants and Soldiers would own what they had fet forth in the faid Petition? The faid Charles Bowes answer'd, That he was well affur'd, that there was no Serjeants or Soldiers throughout the Regiment, not only in this Island, but all the rest, but what would readily sign the fame: That he the faid Charles Bowes, in particular, had receiv'd no more in five Years Time, than three Shirts; and that

that since he came from Ireland, which is three Years, that he receiv'd no more than one Shirt, one Linnen Wastcoat and Breeches, one Pair of Shoes, and one Pair of Stockings, which was sent over by Col. Lylling ston, before Col. Jones had the Regiment. Whereupon the several Companies were call'd, and the Petition read to each Company; and afterwards ask'd Man by Man, If they did own the Petition, which is as followeth.

To his Excellency Daniel Parke, Esq; Captain General and Commander in Chief in and over all her Majesty's Leeward Caribbee Islands in America, and to the General Council of all the Islands.

The Humble Petition of the Poor and Distress'd Soldiers belonging to the Regiment of the Hon. Col. Jones, now quarter'd in the Island of St. Christophers,

Humbly Sheweth,

I HAT fonce of us formerly belong'd to Col. Wheten's Regiment;
and, upon the Officers being recall'd,
we were here left without being paid;
tho we were in Hopes, after your Excellency had promis'd we should have
our Case represented Home, we should
have

'have been paid, and been allow'd for the Cloaths we had due to us; but to this Day, we have received neither.

And for us, that came from Ireland, 'tis now above three Years fince we came from thence; and, during all this Time, we have received hardly any Pay, and only one Coat, one Cap, one Shint, and one coarfe Linnen Jacket and Breeches, one Pair of Shoes, and one Pair of Stockings; all which were fent over by Col Lylling fton. Since which Time, what Shoes we have had from our Offcers, are charg'd to us at twelve Shillings per Pair, and coarfe Yarn Stockings at feven Shillings the Pair; and whatever we have had of them, as "charg'd proportionably ; fol that our whole Pay is this difcounted; And to 'fubfift us, we have allow'd, fome of 'us) feven Pounds of Beef, and others but four Pounds of Beef, the Week; without any Breach and others of is have no Allowance at all god won ow

'So that we are oblig'd to the Charity of the People, for Bread; and yet our Officers tells molty of us, we are in their

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'All this great Misery has befallen to us since Col. Jones had the Regiment; for, before, we had some Cloaths, and fome Money; but since he was our 'Co-

Colonel, which is about two Years, we have had neither Cloaths nor Money.

Our Officers tell us, that they receiv'd

onone from their Colonel.

'All Provisions, (such as we want) ever fince Col. fones has been Colonel, has been, and still continues so cheap,

that if we were cloath'd, and paid, we might have liv'd comfortably, without

being oblig'd to the Charity of the Peo-

ple, and lay up so much Money out of our Pay, as to buy fresh Meat to relieve

us when fick; for the Want of which,

a great Number of us has perish'd, and

are already reduc'd to less than half a

Regiment; and we are all like to perish

in a little Time, except your Excellen-

cy and Honours will recommend our fad

and deplorable Condition home to the Oueen b'wolls such sweet allided

We had long fince laid this our Condition before you Excellency; but for

Fear of our Officers, from whose Fury

All this great Mifery has befollen to

fome Money ; but fince he was our

we now beg Protection. woll A on avail

And your Petitioner, (as in Duty bound) shall ever pray.

So that we are oblig'd to the

Charles and Charles and the Regiment re before, we had fon e Closting and

Charles Bowes, Serj. Tho. Ponnesford, Serj. David Thomas, Edw. Curthbertston, Corporal, Tobias Deane, John Harris,

Benj. King, Tho. Stephenson, John Davis, John Wood, Francis Williams.

John Lambert, William White,

Tho. Havite. Edw. Hussey, Joseph Taylor,

Cornelius Shovell, Tho. Mander,

Anthony Wade, Sam. Collins.

Peter Barker, Tho. Murrow,

Tho. Morgan, Will. Morley,

Walter Jones, James Winbolt,

Charles Fones,

Geo. Davis,

Sam. Simpson, James Johnson,

Morgan Davis,

Codwalet Jones,

Rob. Scot.

Tho. Hudson,

Tho. Fuller.

Will. Gilbert. Rob. Downy,

Geo. Griffith,

Tho. Grilt,

Benj. Fobnson,

Tim. Dismond,

Evan Dainas, Alex. Scott,

Fohn Harden,

Morgan Anderson,

Alex. Brown, Fames Court,

Henry Darby,

Sam. Calver, Seri.

Peter Henessey, Corp.

Will. Hailes, Drum.

Will. Lowther, Fames Fones,

Edm. Willor,

Benj. Earle,

Will. Rofe,

John Stankum.

Tim. Treacy,

Edw. Mc. Cormock.

Tho. Nickson,

Hugh Adair,

Nath. Downes. Arthur Higgins,

Henry

Henry Graham, Peter Price, John Bollmon, Serj. Sam. Cole, Serj. Robert Gibson, Will. Connell, Edward Barnet, Tho. Greata, Tho. Roggers, Elena Davis, Garret Cavenab, John Rogers, Tho. Nock. John Homes, Charles Goodwin, Robert Baker, John Vicardy, John Marnes, Henry Cochran, George Willoughby, William Lowry, George Fitzacherly, Feffery Wilson, Fames Stuart, John Wattkins, Ralph Logan,

Tho. Castell, Foseph Chamberlin, Will. Sprye, Fames Mac. Leghlin, Edw. Dornel. John Essi, Barnaby Banks, Tho. Nighting ale, Fobn Bibb, Will. Binder, Joseph Walker, Sam. Bridgett, Edw. Hews. Tom. Miller, Tho. Mahon, Rich. Lott, Ezekiel Wyett, Will. Garrett, Charles Mac Cullagh, Feremiah Dawson, William Taylor, William Booth, Thomas Hobbs, William Burt, John Jourdain.

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Lieutenant-Colonel Floyer's Company was first call'd, the General having order'd they should say nothing but upon their Oaths. Oaths. They were fworn accordingly, all their Officers that were on the Place being present, which were, (viz.) Capt. Philip Walch, Lieut. Daniel Peletreau, Lieut. Edward Mann, Ensign Thomas Watts, Enfign Ezekiel Evereft, Enfign John Ofbourn, Ensign Luke Walch, and Quarter-Master Humphry Sheppard.

Charles Bowes, Serjeant, upon the Oath you have taken, do you own this Petition, and what is therein contain'd, efpecially upon your own particular Ac-

count, to be true?

'I have receiv'd no more than one 'Coat, one Shirt, one Wast-coat, and one Pair of Drawers, one Cravat, one ' Cap, one Pair of Shoes, and one Pair of Stockings, which was before Col. Fones

had the Regiment.

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Thomas Ponnesford, upon the Oath you have taken, do you own this Petition, and what is therein contain'd, to be true?

' I was clear'd by my Officer, Colonel 'Floyer, before he went; but have re-'ceiv'd no more Cloaths than Serjeant

Bowes has declar'd before me.

Edward Curberthston, upon the Oath you have taken, do you own this Peti-tion, and what is therein contain'd, to be true?

'I answer the same as Serj. Bowes.

Tobias Deane appear'd without Shoes or Stockings, and, upon his Oath, declar'd, That he was clear'd by Col. Floyer before he went; but that he had receiv'd no Money fince: That he had receiv'd fome Shoes and Stockings, &c. which he must account for with his Officers: That he belong'd to Maj. Jones's Company, in Col. Whetham's Regiment, for four Years, before the Officers were fent for Home: That in all that Time he receiv'd but one coarfe Coat without Lining, one Pair of Sacking-Breeches and Wast-coat, one Pair of Crocus Stockings, one Hat, one Shirt and Cravat; and that he had receiv'd but three Pounds eighteen Shillings this Country Money.

John Harris, upon his Oath, declar'd, That he came over with the Regiment, and was paid by Col. Floyer to the Time he left the Island, but has receiv'd no Money since, and has receiv'd but one Coat without Lining, one Pair of Sacking-Breeches and Wast-coat, one Pair of Crocus Stockings, one Hat, one Shirt, and one Cravat; and that, before Col.

Fones had the Regiment.

Tobias

Benjamin King, upon his Oath, declar'd, That he came out with the Regiment; that he accounted with Col. Floyer, and was paid to the Time Col. Floyer left Antegoa; but hath not receiv'd any Cloaths

Cloaths or Money fince Col. Jones had the Regiment.

Thomas Stephenson, upon his Oath, de-

clares the same as Benjamin King.

John Davis, upon his Oath, declares the same as Benjamin King.

John Woods, upon his Oath, declares

the same as Benj. King.

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John Lambert, upon his Oath, declares

the same as Benjamin King.

William White, upon his Oath, declares, that he was Corporal in Col. Whetham's Regiment six Years, in Maj. Edw. Jones's Company, and receiv'd in Money eleven Pounds ten Shillings and seven Pence half Penny, from Maj. Jones and Lieut. John Beard; then Maj. Gore gave him an Account of five Months Pay, but no Money, fave one Pistole, which he receiv'd from Serj. Fosset, and never receiv'd any Cloaths, but one Coat without Lining, one Shirt, one Cravat, one Pair of Crocus Stockings, one Girt-Webb Jacket and Breeches, one Pair of Shoes, and one Hat, which was all that he receiv'd until the Coming of this Regiment; then he was drafted into Lieut. Col. Floyer's Company on May the 24th, 1707; and, fince that Time, he receiv'd but one Mounting, which belong'd to Col. Lillingston, (viz.) One Coat, one Jacket, one Pair of Breeches, Shirt, Stockings, Shoes, Neckcloth, Cap, and Cartridge-Box Box; but was fairly clear'd by Col. Florer. from the Time he belong'd to him until the Time of his going for England, but

receiv'd no Money fince.

Francis Williams, upon his Oath, declares the fame that William White did; but that he did not receive fo much Money: He declares he receiv'd some Money, but how much, he has forgot.

Thomas Huett declares upon Oath the

fame as Benj. King.

Edward Hussey, upon his Oath, declares

the same as Benj. King.

Foseph Taylor, upon his Oath, declares the same as Benj. King; but hath not receiv'd, since Col. Floyer went away, neither Money or Cloaths.

Cornelius Shovel declares upon his Oath

the same as Benj. King.

Thomas Mander declares upon his Oath the same as Benj. King.

Anthony Wade declares upon his Oath

the same as Benj. King.

Cap, and Carr

Samuel Collins appear'd without Shoes or Stockings, and fays, That he came out about twelve Months ago as a Recruit, and has receiv'd no Money from his Officer, only fome Cloaths, which he is charg'd with.

Peter Barker declares, he came out as a Recruit about nine Months ago, and has receiv'd no Money, but some Cloaths morts Neckeloth,

from his Officer, which he is to account

Thomas Murrow declares upon his Oath, That he receiv'd three Shillings and Sixpence per Week to the Time Col. Florer went away; and fince that, he receiv'd no Money, but some few Cloaths from his Officer, which he is to account for; and has been sick a long Time, and nothing to help him.

The following are belonging to Major

Aldey's Company. albor 10

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Thomas Morgan, Serjeant, upon his Oath, declares, That fince he came, he receiv'd fix Months Pay as Corporal, in Antegoa, in Money; and also fince receiv'd in this Island four Pounds fix Shillings, this Country Money, and some Cloaths, for which he is to pay his Officer; and, at his first Coming, receiv'd one Coat, one Jacket, one Pair of Drawers, one Shirt, one Neckcloth, one Pair of Shoes and Stockings, one Cap, Sword, and Belt; but fince Col. Jones had the Regiment, he receiv'd no Cloaths; and that their Officers allow'd them sometimes seven Pounds of Beef a Week, and fometimes four.

William Morley, upon his Oath, declar'd the same as Thomas Morgan, only he has receiv'd no Money at St. Christopher's.

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Walter

Walter Jones, upon his Oath, declar'd the same as Thomas Morgan, only that he receiv'd Half a Crown in Antegoa, and one Shilling and Six-pence at St. Christophers, this Country Money.

James Winbolt, upon his Oath, declares the same as Thomas Morgan, only that he receiv'd one Pistole and six Shillings, this

Country Money. not a soil need

Charles Jones, upon his Oath, declares, That he came over a Serjeant, and lifted himself for such, and agreed to be discharg'd if ever reduc'd; and notwithstanding, Col. Jones reduc'd him, without a Court-Marshal, and never receiv'd but one Piece of Eight in Money, and never had any Mounting, except, a little Time after he came, one Coat, one Jacket, one Pair of Breeches, one Pair of Shoes and Stockings, one Shirt, one Neckcloth and Cap.

George Davis, upon his Oath, declares, He came over with the Regiment, and never receiv'd but three Shillings in Money fince he came over, and one Regimental Coat, one Jacket, one Pair of Breeches, one Pair of Shoes and Stockings, one Shirt, one Neckcloth and Cap, but neither Cloaths nor Money fince Col.

Jones had the Regiment, whole mails it

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Samuel Simpson, upon his Oath, declar'd, That he came over a Recruit last August was two Years, and never receiv'd any Money since he came over, but Nine-pence: He receiv'd one Coat, one Pair of Breeches, one Shirt, and no Jacket.

Robert Scott, upon his Oath, declares, That he came over with the Regiment, and never receiv'd but feven Shillings, this Country Money, and four | Black-dogs, which is Six-pence here, and receiv'd the fame Cloaths as Thomas Mergan, when he first came over, but nothing fince Col. Jones had the Regiment.

Morgan Davis, upon his Oath, declares, That he came over with the Regiment; and that he never receiv'd any Money nor Cloaths fince Col. Jones had the

Regiment.

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Cadwalader Jones, upon his Oath, declares, That he came over with the Regiment, and was exchang'd into Capt. Newel's Company, from whom he receiv'd two and twenty Shillings and Sixpence, this Country Money; and, fince that, he was order'd into Maj. Auldy's Company; and there he never receiv'd but three Shillings, this Country Money; and never has receiv'd any Regimental Cloatles fince Col. Jones had the Regiment, but one Coat, one Jacket, one Pair

A French Copper Coin, so call'd in that Country.

of Breeches, one Pair of Shoes and Stockings, one Shirt, one Neckcloth, and one

Cap.

David Thomas, upon his Oath, declares, That he came over with the Regiment, and never receiv'd any Regimental Cloaths, but what he receiv'd foon after his Arrival; and fince Col. Jones had the Regiment, he receiv'd only one || Piece of Eight, and no Regimental Cloaths.

Thomas Hudson, upon his Oath, declares the same as David Thomas, only he has received, in all, two Shillings and Sixpence English, and three Shillings this

Country Money.

Thomas Fuller, upon Oath, declares the fame as David Thomas, only he has receiv'd three Shillings this Country Money.

William Gilbert, upon Oath, declares the fame as David Thomas, only he receiv'd fix Shillings this Country Money.

Robert Dowry, upon Oath, declares the fame as David Thomas, only he receiv'd

Nine-pence this Country Money.

George Griffith, upon Oath, declares the fame as David Thomas, only he receiv'd feven Shillings and Six-pence English, and two Bits, which is twelve Pence English.

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^{# 6} s. in that Country, and about 4 s. 6 d. here, if not clipp'd,

Thomas Guilt, upon his Oath, declares, He came over as a Recruit last October was two Years, and has receiv'd no more than three Shillings this Country Money: That at his first Coming, he had a Regimental Coat one Shirt, one Jacket, one Pair of Breeches, one Pair of Shoes and Stockings, one Shirt, one Neckcloth, and one Cap, but receiv'd nothing since Col. Jones had the Regiment.

Benjamin Johnson, a very old blind Man, upon Oath, declares, He came over as a Recruit last August was two Years, and has never receiv'd any Money, and only a Regimental Coat at his first Coming; but since Col. Jones had the Regiment, has not receiv'd any Thing.

Timothy Difmond, upon Oath, declares the same as David Thomas, only he receiv'd but Nine-pence this Country Mo-

Evan Thomas, upon his Oath, declares the same as David Thomas, only he has receiv'd four Shillings and Six-pence this

Country Money.

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Alexander Scott, upon his Oath, declares the fame as David Thomas, only he has receiv'd thirteen Shillings and Sixpence this Country Money.

Pair of Shoes and Hat, one

short to may enough one but Alexan-

Alexander Browne, upon his Oath, declares. That he came over with the Regiment; and, during the whole Time he has been here, receiv'd but Eighteen-pence, and receiv'd no Cloaths fince Col. Fones had the Regiment.

James Court, a poor wretched Boy, upon his Oath, declares, He came over a Recruit last May, and has never receiv'd any

Money.

Henry Darby, a poor Lame-fellow, upon his Oath, declares, He came over as a Recruit the 20th of August last, and has

never receiv'd any Money.

James Johnson, upon his Oath, declares, He came over as a Recruit in October last was two Years, and has receiv'd, in all, three Shillings in Money, and a Regimental Coat, one Shirt, one Jacket, one Pair of Breeches, one Pair of Shoes and Stockings, one Shirt, one Neckloth, and one Cap, at his first Coming.

John Harding, upon his Oath, declares, That he was in Col. Whetham's Regiment, in Maj. Gore's Company, five Years, in this Island, before this Regiment arriv'd; and, during all that Time, he never receiv'd but only one coarfe Coat without Lining, with a Girt-Webb Jacket and Breeches, and one Crocus Pair of Stockings, one Pair of Shoes and Hat, one Shirt, e

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Shirt, and but one Piece of Eight in Money; and when this Regiment came over, he was drafted into Maj. Auldy's Company, and was one of those that demanded their Money of the Officers before they were enter'd into this Regiment; and tho' the Officers promis'd the General, in their Hearing, that they would take Care to fend over their Pay as foon as they got over to England; and, the General, to pacify them, promis'd, that he would write Home in their Behalf; with which they were then fatisfy'd; yet still, to this Day, they have neither receiv'd any Satisfaction for their Want of Cloaths, or any Money towards their Pay. And, fince this Regiment came over, he had only receiv'd nine Shillings this Country Money, and one Coat, one Shirt, one Jacket, one Pair of Breeches, one Pair of Shoes and Stockings, one Shirt, one Neckloth, and one Cap, which was before Col. Jones had the Regiment; for fince he had it, he had receiv'd nothing.

John Gilbert, upon his Oath, declares the same as John Harding, only he has receiv'd in all, fixteen Pieces of Eight, in the feven Years he was in Col. Whetham's Regiment; and fince he was in this Regiment, one Piece of Eight only.

James Winbolt, Corporal, upon his Oath, declares the same as John Harding, (in what relates to his being in Col. Whetham's Regiment, only he receiv'd twelve Pieces of Eight, he being in Col. Whetham's own Company. As to what relates to this Regiment, he has already depos'd.

Morgan Anderson, deposeth upon Oath the same as John Harding, (he being in Capt. Syms's and Capt. Hern's Company) only he receiv'd in all fix and twenty Pieces of Eight, this Country Money, in that Regiment; and nine Shillings and Nine-pence, like Money, fince he came

to this Regiment.

The following Persons, are Men be-

longing to Capt. Forran's Company. Samuel Calver, Serjeant, (being decrepted in his Legs and Arms) upon his Oath declares, That he came over with this Regiment, and has receiv'd, in this Country Money, twelve Pounds two Shillings; and fometime after his Coming, he receiv'd one Coat, Wastcoat, and Breeches, one Pair of Shoes, and one Pair of Stockings, one Cap; and fince Col. Jones had the Regiment, he has receiv'd no Sort of Regimental Cloathing: That he has receiv'd for himself eight Pounds of Beef

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per Week, and the Men seven Pounds of Beef.

Peter Hennessy, Corporal, upon his Oath, declares, That he came over with the Regiment, and has receiv'd no more than nine and twenty Shillings, this Country Money, and one Coat, Wastcoat, and Breeches, one Pair of Shoes, one Pair of Stockings, and one Cap, at his first Coming; but fince Col. Jones had the Regiment, he has not receiv'd any Thing.

William Hales, upon his Oath, declares, That he came over with the Regiment, and that he never receiv'd any Money fince his first Coming; and that at his first Coming, he receiv'd one Coat, Wastcoat, and Breeches, one Pair of Shoes, one Pair of Stockings, and one Cap; but fince Col. Jones had the Regiment, he receiv'd nothing.

William Lowther, upon his Oath, de-

clares the same as William Hales.

James Jones, upon his Oath, declares

the same as William Lowther.

Edmond Willer, a distracted Man, a Recruit, distracted when he came over. declar'd the same as James Jones.

Benjamin Earle, upon Oath, declares

the fame as Edmond Miller.

William Rofe, upon Oath, declares the

fame as Benjamin Earle.

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John Stankom, upon Oath, declares the same as William Rofe. Timothy Edward Mac. Cormock, upon Oath, declares the same as Timothy Tracey.

Thom. Nickson, upon Oath, declares the fame as Edward Mc. Cormock.

Nathan. Downes, upon Oath, declares the same as Thom. Nickson.

Arthur Higgins, upon Oath, declares, He came over a Recruit, and has not re-

ceiv'd any Thing since he came.

Henry Graham, upon Oath, declares the same with Nathaniel Downes, only that he has receiv'd one Piece of Eight, this Country Money.

Peter Price, upon Oath, declares the

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fame as Nathaniel Downes.

Hugh Adaire, upon Oath, declares, He was in Capt. Sanderson's Company, in Colonel Whetham's Regiment, near feven Years; and, during that Time, he receiv'd thirty Pounds in Money, and one Coat without Lining, one Girt-Webb Wastcoat and Drawers, one Hat, one Pair of Shoes, one Pair of Crocus Stockings, and was promis'd to have the Remainder of his Pay, but never got but a Note for five Months Pay, which he fold to Mr. Stoodly of St. John's: And, during the Time he has been in this Regiment, he never has had any Money; and only one Regimental Coat, Wastcoat, and Breeches, . valendat

one Pair of Shoes, one Pair of Stockings, and one Cap, at his first Coming to the Regiment; but nothing since Col. Jones has had it.

The Company that was the late Capt. Kent's, was call'd in, and the Petition read to them, which they all own'd, and gave their following Depositions:

John Bowlman, Serjeant, upon Oath, declares, That he came over with the Regiment, and has receiv'd (during the whole Time he has been here) eight Pounds eight Shillings, this Country Money, and one Barrel of Beef, at the Price of three Pounds ten Shillings; and, fince the 7th of November last, seven Pounds of Beef per Week; and fince that Time, all the Men have had feven Pounds of Beef per Week, except three, which have had only four Pounds of Beef per Week, being upon Guard where the Country allows them Bread; and at his first Coming over, he had but one Coat, Wastcoat, and Breeches, one Pair of Shoes, one Pair of Stockings, and one Cap, which has been all that he has receiv'd, tho' he has been in the Regiment five Years, Col. Jones having given him nothing fince he had the Regiment.

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Samuel Cole, Serjeant, upon Oath, declares the same as John Bowlman, only he receiv'd eighteen Pounds this Country Money of his Captain; and ever since January last was twelve Months, receiv'd seven Pounds of Beef per Week, except sive Months, or thereabouts, which Time he was on Board the Man of War.

Robert Gibson, upon his Oath, declares, That he came over with the Regiment, and has receiv'd in Money four Pounds nineteen Shillings, this Country Money; and at his first Coming, receiv'd one Coat, Wastcoat, and Breeches, one Pair of Shoes, one Pair of Stockings, and one Cap; but since Col. Jones had the Regiment, he never receiv'd any Thing.

Edward Whitham, upon his Oath, declares the same as Robert Gibson, only he has receiv'd in this Country Money one Pounds thirteen Shillings and Six-pence.

Thomas Greata, upon his Oath, declares the same as Edward Whitham, only he receiv'd nine Shillings this Country Money.

Thomas Rogers, upon his Oath, declares the same as Thomas Greata; but that he sign'd a Receipt for two Years Pay to his Captain, for giving him Liberty to work.

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Elisha Davis, upon his Oath, declares the same as Thomas Greata; but that he receiv'd nine Shillings this Country Money.

John Rogers, upon his Oath, declares the same as Elisha Davis, only he has

receiv'd but nine Shillings.

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Thomas Knock, declares upon his Oath, the same as John Rogers; but that he receiv'd one and thirty Shillings and Sixpence this Country Money.

Charles Goodwin, declares upon Oath the same as Thomas Knock; but that he receiv'd two Pounds eleven Shillings and

Six-pence this Country Money.

Robert Baker, declares upon Oath the fame as Robert Gibson, only that he was some time in Capt. Newell's Company; during which Time, he receiv'd no Money; afterwards, was order'd to Capt. Kent's Company; in which Company, he receiv'd two Pounds five Shillings and Six-pence this Country Money.

John Vikarage, upon his Oath, declares the same as Charles Goodwin; but that he receiv'd no more than six Shillings this

Country Money.

John Mearns, upon his Oath, declares, He came over as a Recruit in Angust last was two Years, and that he did not receive any Money since he came here, but a Coat, Wastcoat, and Breeches, one

Pair of Shoes, one Pair of Stockings, and one Cap, and hath not received any Thing from Col. Jones since he had the Regiment.

Henry Coghran, declares upon his Oath the same as Robert Gibson; but that he receiv'd two Pounds eighteen Shillings

this Country Money.

George Fitzacherly, declares upon his Oath the same as Robert Gibson; but that he receiv'd eighteen Shillings this Country Money.

Jeffery Wilson, declares upon Oath the same as Robert Gibson; but that he receiv'd eight and thirty Shillings and Six-

pence this Country Money.

James Stuart, declares the same upon Oath as Robert Gibson, but that he receiv'd three Pounds three Shillings this Country Money.

fobn Wattkins, upon his Oath, declares the same as Robert Gibson; but that he receiv'd fourteen Shillings and Three-

pence this Country Money.

Thomas Castell, upon his Oath, declares, That he came over as a Recruit about six Months ago; that he has receiv'd neither Money, Shirts, Stockings, nor Drawers, and now appears in a Manner naked.

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fpe tha William Sprye, upon his Oath, declares, He came over as a Recruit last May, but has receiv'd no Money, no Stockings, one Coat, one Cap, one Jacket, one Shirt, and one Pair of Breeches, and one Pair of Shoes.

William Connell, upon his Oath, declares, That he was in Col. Whetham's Regiment, and came over with the Colonel; he was in the Company that was Capt. Beard's and Capt. Curry's about three Years and a half, and in five Years that he was in the Regiment, he never had but one Coat without Lining, one Girt-Web Wastcoat and Breeches, one Hat, one Pair of Shoes, and one Pair of Crocus Stockings; but cannot remember what Sum of Money he had, but for the most Part receiv'd his Pay in Linnen, Stockings, and other Cloathing, from his Captains; but fince he was order'd to this Regiment, he receiv'd one Wastcoat and Breeches, one Pair of Shoes, one Pair of Stockings, and one Cap, and fifty three Shillings this Country Money, which was at his first Coming to the Regiment, and has not receiv'd any Regimental Cloathing fince Col. Jones had the Regiment.

Garrett Cavenagh, upon his Oath, declares the same as William Connell, in Respect to Col. Whetham's Regiment, only that he was of Maj. Gore's Company, and

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ceiv'd fifty two Shillings and a Note, that Maj. Gore gave him for five Months Pay, which he fold to his own Serjeant, William Fossett, for a Pistole; and has receiv'd in Money, since he came to this Regiment, five Shillings and Ten-pence Half-penny,

this Country Money.

fohn Holmes, upon his Oath, declares the same as William Connell, (in Respect to Col. Whetham's Regiment) only that he was of Capt. Sanderson's Company, and receiv'd ten Pounds from his Captain, and a Note for five Months Pay, which he sold to Mr. Proctor of St. John's for forty Shillings in Cloath; and since he came into this Regiment, he receiv'd in Cash two Pistoles and a half; of which, he return'd his Captain three Shillings.

George Willoughby, upon his Oath, declares the same as William Connell, (in Respect to Col. Whetham's Regiment) only that he was in Col. Johnson's Company, and receiv'd ten Pieces of Eight, this Country Money; and when the Officers went away, he was in the Swan Frigat; and since he came into this Regiment, he receiv'd only sifteen Shillings and Six-

pence.

William Lowry, upon his Oath, declares the fame as William Connell, as to what relates to Col. Whetham's Regiment; but that he was in the Colonel's own Compat

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ny, and receiv'd from his Officer forty two Shillings and Six-pence, and a Bill for five Pounds, which he fold to Mr. Stoodley of St. John's for thirty two Shillings paid in Goods, and has receiv'd in this Regiment but four and twenty Shillings this Country Money, which are

Ralph Logan, upon his Oath, declares the fame as William Connell, as to what relates to Col. Whetham's Regiment, but that he was of Capt. Beard's Company; that he was paid off by his Officer, only allow'd him no Money for the Time he was at Sea, and that he was five Years in that Regiment, and never receiv'd any Cloathing, but what is already mention'd in William Connell's Depositions; and that he has only receiv'd two Pieces of Eight fince he came into this Regiment, and one Coat, Wastcoat, and Breeches, one Pair of Shoes, one Pair of Stockings, and one Cap.

Foseph Chamberlain, upon his Oath, declares the same as William Connell, as to what relates to Col. Whetham's Regiment, but that he was of Capt. Herne and Capt. Symes's Company; that he was paid off by his Captain, but receiv'd no Cloathing, but what is mention'd in William Connell's Deposition; and that he only receiv'd three Shillings in Money fince he came to this Regiment, and one Coat, Wastcoat, and Breeches, one Pair of Shoes, one Pair of Stockings, and one Cap. and and analysis and one Cap.

The Company belonging to Capt. Peter Buor, was call'd in, and the Petition read to them, which they all own, and gave their following Depositions:

James Mac Laughlin, Serjeant, upon his Oath, declares, That he came over with this Regiment, which is now above three Years; during which Time, he has receiv'd of his Officer four Pounds four Shillings this Country Money, and feven Pounds of Beef per Week; and the Men in the Company were allow'd feven Pounds of Beef per Week, except the Men that were in the Country upon Guard, and had Bread allow'd them by the Country, which were allow'd but four Pounds of Beef per Week; and that at his first Coming over, he had one Coat, Wastcoat, and Breeches, one Pair of Shoes, one Pair of Stockings, and one Cap; but fince Col. Jones had the Regiment, he had no Money or Cloathing.

Edward Darnel, upon his Oath, declares the same as fames Mas Laughlin, only he has received but six and twenty Shil-

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lings this Country Money. States and

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fame as James Mac Laughlin, only he has receiv'd but seventeen Shillings this Country Money.

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clares the same as fames Mac Laughlin, but that he has received no Money.

Thomas Nighting all, upon his Oath, declares the same as Mac Laughlin, but that he received but six Shillngs this Country Money.

John Bibbee, upon his Oath, declares the fame as Mac Laughlin, but that he receiv'd but eleven Shillings.

William Binder, upon Oath, declares the fame as Mac Laughlin, but that he never receiv'd any Money.

To feph Walker, upon his Oath, declares the same as Mac Laughlin, but that he receiv'd but nine Shillings this Country Money.

Samuel Bridge, upon his Oath, declares the same as Mac Laughlin, but that he receiv'd one Piece of Eight this Country Money.

Edward Hews, upon his Oath, declares the fame as Mac Laughlin, only that he has not receiv'd any Money.

Thomas Mahon, upon his Oath, declares the same as Mac Laughlin, only that he receiv'd fifteen Shillings this Country Money.

Richard

Richard

Riebard Lott, upon his Oath, declares the fame as Mac Laughlin, but that he received two Pieces of Eight

Walter Birt, upon Oath, declares the fame as Mac Laughlin, but that he receiv'd

ten Shillings and Six-pence.

Foseph Walker, upon his Oath, declares. That he was in Capt. Johnson's and Capt. Danbare's Company, in Colonel Whethan's Regiment, about five Years; In all that Time, receiv'd ten Pieces of Eight in Money, and one coarse Coat unlin'd, one Girt-Web Jacket and Wastcoat, one Shirt, one Cravat, one Pair of Shoes, one Hat, and one Pair of Crocus Stockings; and fince he was in this Regiment, he receiv'd nine Shillings in Money; and at the Regiments first Coming, one Coat, Wastcoat, and Breeches, one Pair of Shoes, one Pair of Stockings, and one Cap, but not any Thing fince Col. Jones had the Regimental Dad Inition of the Carlander Berginster

Tomas Miller, upon his Oath, declares, That he was two Years in Capt. Dunharr's Company, in Col. Whetham's Regiment, and that he receiv'd no more Money than twenty two Pieces of Right, and the fame Cloaths that Joseph Walker declares he receiv'd; and since he has been in this Regiment, he has receiv'd eight Shillings and Three pence this Country Money; and at his first Coming, one Coat, Wast-

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coat, and Breeches, one Pair of Shoes, one Pair of Stockings, and one Cap, but not any Thing fince Col. Jones had the Regiment.

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William Forrest, upon his Oath, declares, He was in Capt. Rutlidg and Capt. Dunbarr's Company, in Col. Whetham's Regiment, feveral Years, but has forgot what Money he receiv'd from his Officers; but receiv'd the same Cloaths as Foseph Walker declares he receiv'd; but since he came to this Regiment, he receiv'd but Eighteen-pence, and the same Cloaths the rest had at their first Coming.

Feremiab Dawson, upon his Oath, declares, That he was in Capt. Beard and Capt. Curry's Company, in Col. Whetham's Regiment, about five Years, and receiv'd in Money, in that Time, twenty Pieces of Eight, and Eighteen-pence, and the same Cloaths mention'd by foseph Walker; but fince he came to this Regiment, he receiv'd one Piece of Eight, and the Cloaths the rest had at their first

Coming

John Jordan, upon his Oath, declares, That he was in Capt. Curry's Company, in Col. Whetham's Regiment, about five Years, and has forgot what Money he receiv'd; but had the fame Cloaths as fofeph Walker declares he receiv'd; but has receiv'd, fince he came to this Regiment,

one Piece of Eight, and the Cloaths the

rest had at their first Coming.

Ezekiel Wyett, upon his Oath, declares, He came over a Recruit last May; since which Time, he has not receiv'd any

Money.

Charles Mac Cullogb, upon his Oath, declares, He came over as a Recruit in September last was two Years; since which Time, he receiv'd but thirteen Shillings.

William Taylor, upon his Oath, declares, He came over a Recruit in August last was two Years; fince which Time, he receiv'd

but nine Shillings.

Thomas Hobbs, upon his Oath, declares, He came over a Recruit last November; fince which Time, he receiv'd no Money.

St. CHRISTOPHERS.

T a Meeting of his Excellency Daniel Parke, Esq; Captain-General and Commander in Chief in and over her Majesty's Leeward Caribbee Islands in America, and the Gentlemen of the General Council of the respective Islands, the 6th Day of April 1710.

This Day the General Council unanimoully agreed upon the following Address to be presented to her Majesty.

To the Queen's Most Excellent Majesty.

one-Piece of Incht, and the Cloaths the

The Humble Address of the General Council of the Islands of St. Christophers, Nevis, Antegoa, and Montserrat.

May it please your Majesty,

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WE your Majesty's most dutiful and loyal Subjects, do, with all dutiful Affection to your Majesty's Per-'fon, and Zeal for your Service, congra-

'tulate the Glories of your Reign.

'A Reign in which we already count ' fo many Victories, as exceeds the Reign of any of your Royal Progenitors: So much more glorious has the Duke of ' Marlborough made your Name, than all 'your Predecessors; for which he is the 'Envy of this Age, and will be the Ad-' miration of all fucceeding.

'Thus, Madam, the English Name being arriv'd to its highest Glory, you chang'd it to another, you restor'd Britannia to its ancient Name; and, in Time of War, so united us with the strongest Bonds of Peace, that all our Neighbours would tremble at the Union, the Be-'ginnings whereof are so auspicious; were it not that your repeated Victories and

important Conquest, are for the Good of the whole World: For you fight only to fave, and conquer, to establish an universal Peace. Imada bean or ylten

We, Madam, have many Reafons to rejoyce at fo happy a Prospect, and to

thank you for your Care of us, during fo troublesome and expensive a War.

The Provisions fent to two of the

· Islands, and recommending them to the Parliament on their Misfortunes, are

fuch Instances of your Majesty's Piety,

'Charity, and Care, of the most distant · Parts of your Government, that all

Ages must celebrate your Goodness.

'And we must farther thank your Ma-· jefty for making Col. Parke our General,

whose Vigilance, Conduct, and Courage,

has disappointed the Designs of our

· Enemies, and prevented their gaining

'any Advantage over us, fince we have

been fo happy as to have him our Governor.

'And when Montserrat was lately at-' tack'd, his Expedition, in coming down

to their Relief, when staying for the

Men of War might have been too late to have fav'd them; and his following the

'Enemy to every Place that was in Dan-

eger, 'till they dispers'd themselves; for the future, may make them more cau-

tious to attack any of these Islands, now

we have a Governor fo ready to draw

the rest to their Assistance, and persoally to head them. housenglostonostical

We therefore pray your Majesty for 'his long Continuance amongst us ; but, if your Majesty shall think it necessary, ' for his Justification, that he personally answer the Complaint against him, 'wherein he is charg'd with Crimes we

'are perfectly ignorant of; tho' in the

'Station your Majesty has been pleas'd to 'place us, we should be better acquaint-

'ed with his Actions, than those who have

' complain'd against him.

We therefore humbly take Leave to 'inform your Majesty, we know of no 'Male-Administration, or Neglect of Du-'ty, our General, Col. Parke, has been 'guilty of during the whole Time he

' has govern'd these Islands.

And, we hope, that when he has 'clear'd himself of what his Enemies 'have laid to his Charge, (which we have no manner of Reason to doubt 'but that he will) he may be restor'd to this his Government.

And, we humbly implore your Majesty, that he may be continu'd our

General.

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It only remains for us to wish your 'Majesty a continual Series of Prosperity, and a long and happy Reign, for the Good of your People, to whom your Life is the greatest of Bleslings.

nit for silversomme thousand take up Dated at St. Chei- Henry Burrell, -6, 1710.

Will. Martin, Clerk John Norwood, of the General George Lyddell, Council. George Milward,

stephen Payne, ni mensius 1 1 10 3 7. Bevon, Jo. Hamilton, Will. Byam. er Morte hardeline on seasons minde

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Col. James Jones, and the Officers of the Regiment upon this Island, being fent for, the Petition preferr'd by the poor distress'd Soldiers, was order'd to be read before them in Council; and after being read, the feveral Officers following were fworn.

Capt. Benjamin forrins being sworn on the Holy Evangelists of Almighty God, deposeth, and saith, That he hath re-ceiv'd, since he came to the West-Indies, fix hundred seventy one Pounds, seventeen Shillings, this Country Money; which, in Sterling Money, (at 50 per Cent. Difference of common Exchange) is four hundred forty nine Pounds two Shillings and one Penny Half-penny: That above two Years ago, he often heard his Excellency

fupply him with Money, or be his Security for any Sum he should take up, that

the Regiment might be subsisted.

Capt. Philip Wallb being fworn, declares, That he came over Lieutenant in this Regiment; that, during the Time he has been here, he (not being positive what Money he has receiv'd fince he came to the Regiment) believes he has not receiv'd more than fixty Pounds this Country Money, which, in Sterling Money, is forty Pounds, or thereabouts; and that he has had the Care of Col. Alexander's Company fixteen Months; as also the Company that was Capt. Morden's, about fix Months, and have receiv'd no more than two hundred seventy nine Pounds fifteen Shillings this Country Money, the Sublistance of the towards two Companies, which is in Money Sterling, one hundred feventy and feven Pounds; and farther faith, That he has Jones several Times own, heard Col. both before and fince he has had the Regiment, That the General has offer'd him feveral Times Money to fubfift the Regiment, or be Security for any Sum or Sums of Money he should take up; but that he said, he did not want the Genefal's Assistance, but could take up as much Money as he pleas'd. Lieut.

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Lieut. Daniel Peletreau, heing duly fworn, declares. That he came over as Lieutenant in the Regiment; that, during the Time he has been here, he has subsisted Maj. Auldy's Company ever fince he came over, and Capt. Buor's Company, upwards of eleven Months; and that he has receiv'd no more than five hundred ninety four Pounds fourteen Shillings this Country Money, for the Subfistance of both Companies, which, in Sterling Money, is about three hundred ninety four Pounds; and this Morning Col. Jones deliver'd him fixteen Barrels of Beef: And farther declares, That he has been told by feveral of the Officers, that Col. Jones might have Money from the General, if he pleas'd, to subsist the Regiment.

Lieut. Edward Man, being duly sworn, declares, That he has been a Lieutenant in the Regiment two Years the 26th of July next: That he has been now with the Regiment six Months, or thereabouts, and has received no more than five Pounds Sterling; and that when he went upon the Expedition to Montserrat, there was thirty odd Men wanted Arms, of those Men only that were taken from Antegoa,

Ensign Thomas Watts, being duly sworn, declares, That he came over an Ensign in this Regiment; and that during the

Time

Time he has been here, he has receiv'd fixty Pounds this Country Money, or thereabouts; that he has had the Care, of Capt. Kent's Company three Months, or thereabouts, during which Time he has receiv'd fixty Pounds this Country Money, and no more; which in all, is about eighty Pounds Sterling. On by 1998

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Enfign John Osbourne, being duly fworn, declares, That he came over Enfign in the Regiment; and that he has never receiv'd any Thing fince he came over: That he understands, by Lieutenant Curtis, that he muster'd, by Col. Jones's Order, Harford Jones, Son of Col. James Jones, (being a Child) as Ensign, the said Ofbourn never being try'd or laid aside by a Court - Marshal for any Misdemeanor whatfoever.

Enfign Luke Walfh, being duly fworn, declares, That he came over with the Regiment a Cadet, and constantly did Duty as fuch, 'till the General gave him a Commission to be an Ensign, which is about fixteen Months past; and during that Time, hath receiv'd no more than twenty Pistoles this Country Money, which is twenty eight Pounds. The General ask'd him how much Money he gave him, or any other Person for him, for granting his Commission ? He anfwer'd, That he never gave any, nor had any Money to give, nor made any Promise to give any; but that the General told him, he had promised him a Commission, for that he observed he was always diligent in his Duty.

The Depositions aforesaid being taken, his Excellency the General ask d Col. James Jones, Whether he had any Questions to ask any of the aforesaid Persons that were sworn?

The faid Col. James Jones answer'd, No. His Excellency told the said Col. James Jones, That he might have Copies of the Petition, and the several Depositions taken in Council, relating to his Regiment, if he thought fit.

Mr. John Helden, being sworn, declares, That upwards of sourteen Months ago, he let Capt. Buor have one hundred and fifty Pounds, this Country Money, upon his Excellency's Bills of one hundred Pounds Sterling, which Bills were paid towards the Subsistance of the said Buor's Company; and that Mr. Peter Smith of St. Thomas, has offer'd, upon giving Security for the Payment of the Bills, one thousand Pistoles, or any other Sum of Money: or otherwise, if he would draw the Bills, upon Advice of the Bills being

the Concleinen of the General Affembly

accepted, Col. Jones should have the Money; both which Col. Jones refus'd.

The General acquainted Col. Jones, That he left an Order at Newis, the 19th of March last, that he should return an exact Account of the effective Men in the whole Regiment; for that he had, for these two Months past, order'd, that every Man should repair to their respective Companies; for, upon his Expedition to Montserrat, he could not get two hundred effective Men in the whole Regiment, to go upon the said Expedition.

Whereupon Col. Jones, and the rest of the Officers withdrew.

His Excellency the General inform'd the Gentlemen of the General Council, That all this Day he expected an Answer from the General Assembly, to a Message sent them the last Meeting; and not finding, that the Gentlemen of the Assembly hath sent any Message, (it being almost Night) ask'd the Opinion of the Gentlemen of the Council, Whether it was necessary to demand a Conference, or what was proper to be done.

It's the unanimous Opinion of the Gentlemen of the General Council, that the Gentlemen of the General Assembly

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are so obstinate, that to send to have a Conference with them, it would be to no Purpose. For that they have resolved to chuse their own Clerk; otherwise, they will not proceed to do any manner of Business; for which Reason, his Excellency the General and General Council have thought sit they should adjourn till Saturday Morning next, being the 8th Instant, at eight of the Clock; and that if in that Time the General Assembly will not proceed upon Business, the General Assembly should then be dissolved.

Whereupon both Houses were adjourn'd until Saturday the 8th Instant.

St. CHRISTOPHERS.

A T a Meeting of his Excellency Daniel Parke, Esq; Captain-General and Commander in Chief in and over all her Majesty's Leeward Caribbee Islands in America, and the Gentlemen of the General Council of the respective Islands, this 8th Day of April 1710.

anhie Sed wanniel and lo namels Prefent,

are to obtlinate the Prefent to bave a His Excellency the General, Henry Burrel, Geo. Milward, Stephen Payne, & John Hamilton, John Norwood, (Will. Byam, George Lyddell,)

The following Address to her Majesty was drawn up by the unanimous Confent of the General and Council.

St. CHRISTOPHERS.

To the Queen's Most Excellent Majesty.

The Humble Address of the Chief Governor and General Council of the Islands of St. Christophers, Nevis, Antegoa, and Montferrat.

May it please your Majesty,

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7E your Majesty's most loyal and obedient Subjects, do most humbly beg Leave to lay before your Majesty the present State of these your 'Islands.

Sometime before the Arrival of Col. Parke, our Chief Governor, the Islands of Nevis and St. Christophers were plun-' der'd by the Enemy, and left in a very deplorable Condition; tho' we flatter'd our felves we should have had some

Relief from the Parliament, after your Majesty's great Goodness and Charity, in sending us Provisions and other Necessaries, and recommending our Gondi-

tion to them. About fourteen Months after our said General's Arrival, we had a violent Storm, which did very great Damage to Antegoa and Montferrat; but in a Manner entirely destroy'd the Habitations of St. Christophers and Nevis: The General did what he could to encourage the People, by not fo much as demanding of the Island of St. Christophers the hundred thousand of Sugar then due to him from the Publick, and by vifiting each Island prefently after the Storm, and exposing himself in a Sloop, having at that Time no Man of War on the Station for near eight Months, 'till the "Hedor and Margaret pass'd thro' this Government for Jamaica, where the Margaret was lost: The Hector, after fome Time, return'd to Antegoa; but ' in a little Time after was order'd Home, and this Station left expos'd; 'till the · Adventure arriv'd, which the Enemy foon took; and, for fome Months, we were without any, 'till the Saphyr and · Newport arriv'd: They had hardly made one Cruize, before the Diamond brought Orders for their going Home; and act cordingly

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cordingly they fail'd the latter End of September laft, fince which Time we have had only the Diamond. Buibus! And as we must do the Commander. ' Capt. George Ramsey, the Justice to own, that he has behav'd himself like a didigent good Officer fince he came on othis Station, yet, nevertheless, we have had many of our Veffels taken by the Enemy; for these Islands are so separated, tis impossible one Man of War can protect them; yet we never have had, fince Col. Parke came to the Government, 'above one at a Time: Sometimes, 'tis true, we have had two arriv'd, but one, 'or both, were foon order'd away; and for the greatest Part of the Time we have 'had not any; tho' Barbadoes, that is not fo expos'd as thefe Islands, and makes 'less Sugars, has, for the most Part, three, and sometimes four Men of War; and that Island never will permit any one to come to our Assistance, as we 'have often experienc'd.

We most humbly beg Leave also to inform your Majesty, that the we have the Credit of a Regiment here to defend these Islands, yet we, in Truth, have not the third Part of one; for the General informs us, That when lately Montserrat was attack'd, he could not find near two hundred Men in the Pegi-

ment fit for Service, and many of them without Arms: The Regiment being distributed to all the Islands, the feve. ral Companies were muster'd by the Lieutenant-Governor, and two of the Council of each Island; the Officers give in the Musters upon their Honour; and that the absent Men are on some of the other Islands. The General, being thus inform'd by the Lieutenant-Governors, (as their Excuse for figning ' fuch Muster-Rolls) order'd every Man to his Company, and the Man of War to transport them; and defigns to go to all the Islands, to muster each Company; and this Day (Col. Jones being present, he muster'd five Companies that are quarter'd in this Island, which amounted to no more than one hundred and twenty five Men, their Officers, Sere jeants, Corporals, and Drums, included. All the Men, by a Petition to the General and us, has lately fet forth 'their hard Usage, that they have re-· ceiv'd Cloaths but once fince they came, and very little Pay; that fome have deferted, and a great many have perish'd for Want; that few Recruits have been fent, and those not fit to be receiv'd into the Regiment.

We therefore most humbly implore your most sacred Majesty, that more Regard may be had for these Islands, that two or three Men of War be allow'd for our Protection, and that the Regiment be duly pay'd, cloath'd, and recruited.

Dated at St. Christophers, April 8, 1710.

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Will. Martin, Clerk of the General Council.

Henry Burrell,
Stephen Payne,
J. Bevon,
John Norwood,
George Lyddell,
George Milward,
Jo. Hamilton,
Will. Byam.

His Excellency the General in Council fent the Deputy-Marshal to the General Assembly, to require their Attendance.

The Marshal brought Word, that the Assembly would not come, unless the General would send some of the Gentlemen of the General Council for them.

Upon which, they were adjourn'd until Thursday next, being the 10th Instant, at Ten in the Forenoon.

St. CHRISTOPHERS,

A Ta Meeting of his Excellency Daniel Parke, Esq; Captain-General and Commander in Chief in and over all her Majesty's Leeward Caribbee Islands in America, and the Gentlemen of the General Council of the respective Islands, this 10th Day of April 1710.

Present,
His Excellency the General,
Henry Burrell,
Stephen Payne,
John Norwood,
George Lyddell,
Present,
George Milward,
John Hamilton,
John William Byam,
George Lyddell,

The General acquainted the Gentlemen of the Council, That he receiv'd a Broad Seal for the Leeward Islands by Capt. Span, (unto whom he gave a Receipt for the same) and also an Order from the Queen and Council for the breaking of the former Great Seal of the Islands, which was accordingly done, in the Presence of the Gentlemen of the General Council,

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St. CHRISTOPHERS.

A T a Meeting of his Excellency Daniel Parke, Esq; Captain-General and Commander in Chief in and over all her Majesty's Leeward Caribbee Islands in America, and the Gentlemen of the General Council of the respective Islands, this 13th Day of April 1710.

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Present,
His Excellency the General,
Henry Burrel,
Stephen Payne,
Geo. Milward,

A Patent was this Day pass'd in Council, for nine Acres of Land, in Nevis, to William Griffin, which being read, it unanimously pass'd the Council.

A Petition of Francis Pouch and Anthony Monteyro, was read, setting forth, That the General did impress their Sloop, and sent her to Montserrat, with an Account of the Design of the French upon that Island; which Sloop was taken by a French Privateer, as she went out of the Harbour of St. John's. The General did declare to the Gentlemen of the Council, that

that he did fend the faid Sloop, with the Account of the French's Design, to order the Governor to be upon his Guard, and withal writ him positive Orders, upon the Appearance of any Number of Vessels that made for their Island, he should immediately dispatch a Two-mast-Boat to him, and he would come himself with the Man of War, the Regiment, and what other Force he could, to their Assistance; and accordingly, when they did appear off Montferrat, a Boat was dispatch'd with the News to him at Antegoa, which Boat was chas'd by two of the Privateers, but got fafe, which was the Occasion of their precipitate leaving of Montserrat; for the Gentlemen that came down in the last Flag of Truce, inform'd him, that when they took the above Sloop, they found his Letter, and expected accordingly, that he would be down with the whole Force of his Government, before they could have Time to plunder that Island; therefore he thinks that the Sloop ought to be paid for by the Publick, fince the taking of her was in some Measure the Preservation of Montserrat.

Since the Assembly is like to break up this Day, it's by the General and General Council, referr'd to the next General As

fembly to be paid for.

The

The General desir'd the Opinion of the Council, if the following Speech would not be very proper for him to speak to the Assembly when they came to him, in order to be dissolv'd; who were unanimously of Opinion, it was very proper to be spoke.

Gentlemen,

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Have, with a great deal of Patience, expected you would no longer have infifted on Privileges you have no Manner of Right to. At my first opening this Sessions, I offer'd you all which belongs to the House of Commons in England, with which I think you ought to have been contented.

'If I should have allow'd you more,
'I must have betray'd the Trust repos'd

' in me.

'I know not what Instructions my Pre-'decessors may have had; if theirs were 'the same as mine, they betray'd their 'Trust in giving away the Queen's Pre-'rogative.

'If my Instructions have differ'd from theirs, I think I have been unfortunate, to be put under an absolute Necessity.

'to be put under an absolute Necessity, 'either of breaking my Orders, or diso-

bliging the Assemblies.

'I last Week sent for your House to attend me, in order to dissolve you, but 'I had your Answer, you would not come, except I sent some of the Council.

'I should have thought I had very much affronted the Council, to have defir'd some of them to go on such a Message. 'Tis true, at the first opening this Sessions, in Answer to a Message of yours, I told you, upon any solemn Occasion, (as the Council's desiring a Conference with your House, &c.) one of their own Body would come to you with such a Message, they having no Judges, or Masters in Chancery to send.

But my fending to you is quite different; I must make Use of the Marshal, he being the only ministerial Officer I

· have.

'The Queen, (who I have here the 'Honour to represent) when she sends for the House of Commons to attend her, sends only the Black-Rod, or his 'Deputy.

'I am glad to find you are satisfy'd, by your coming now, that what I did then

was not irregular.

'I wish it had been in my Power to have pleas'd you your own Way; but fince it is not, and you are resolv'd not to

to enter upon any Business, except I give up the Queen's Prerogative.

the Publick to any more Charge at this Time, or to keep you any longer from your Families.

Therefore I do think it necessary for the publick Service, to dissolve you;

'and you are accordingly diffolv'd.

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Presently after, the Assembly came to the General; he told them, He wanted one to make a Council; and when he had a full Council, he would send for them as soon as the Council met:

His Excellency the General fent the Marshal to the Gentlemen of the Assembly, requiring their Attendance; and, after waiting three Hours for them, Capt. Will. White, Edw. Parsons, Will. Barzey, John Duor, and Anth. Ravell, Efgs; five of the Members of the Assembly, came and inform'd his Excellency and Council, that they were willing to attend him, according to his Message; but the rest of the Members of their House, and their Speaker, which were feven, refus'd it; and also inform'd the General and Council, that, at first, they were all coming, as they thought it their Duty, after the General had shew'd them some Gazetts, where it did appear the Queen

fent the Deputy-Usher of the Black-Rod for the House of Commons, when they were to attend her; but as they were coming up, the Speaker refus'd to come; whereupon they all went back. And these five Members came in their private Capacity, and desir'd the General to dissolve them by Proclamation, or prorogue them to some other Island; for there they were out-voted in every Thing; and that the Majority obstinately insisted on every Thing, without giving any Reason for it.

Sometime after, the Speaker and Assembly came. The Speaker coming with a Paper in his Hand, the General ask'd him if they came to attend him pursusuant to his Message? He said, No; but to present a Petition. The General told them, the Method was, if they wanted any Thing, to ask by Way of Address, and then, first, send to know when to come; but he would receive no verbal Message, knowing the ill Consequence of such; nor would he receive any Paper from them, 'till they would admit of a fworn Clerk, truly to enter all Messages.

The General, by the Advice of the Council, fent and adjourn'd them 'till to Morrow Morning at Ten of the Clock

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St. CHRISTOPHERS.

A T a Meeting of his Excellency Daniel Parke, Efg; Captain-General and Commander in Chief in and over her Majesty's Leeward Caribbee Islands in America, and the Gentlemen of the General Council of the respective Islands, this 14th Day of April 1710.

Present, His Excellency the General, } John Hamilton, } Will. Byam, Henry Burrel Stephen Payne, Geo. Milward,)

The same Gentlemen of the Assembly, that came Yesterday to the General and Council, with a Complaint of the Obstinacy and Irregularity of the Proceedings of their House, came also this Day with the following Petition; only Capt. Duor, who was with them Yesterday, being one of the Members of Antegoa, went away with them; and Mr. Verchell, who was one of the same Opinion with the other five that came Yesterday, sign'd the Petition this Day.

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St. CHRISTOPHERS.

To his Excellency Daniel Parke, Esq; Captain-Generaland Commander in Chief in and over all her Majesty's Leeward Caribbee Islands in America.

May it please your Excellency, condition

of the General Assembly, now assembled at St. Christophers, most humbly lay before your Excellency, that 'tis with great Regret we find so little Possibility of doing any Business this Sessions.

'On which, your Excellency having been pleas'd to intimate your Design to dissolve this Assembly, and having sent for us this last Week, as also Yesterday, to attend you accordingly. Several of our House, and among others, our Speaker, have refus'd to attend your Excellency, unless you send some Gentlemen of the Council, instead of the Marshal, for us.

'And notwithstanding you was pleas'd to signify to this House that our Constitution, as near as possible, ought to refemble

'femble that of our Mother-Kingdom; and that, by your Instructions, you was ty'd to endeavour it. And though you was farther pleas'd to shew us feveral Gazetts, wherein her Majesty fends the Deputy-Usher of the Black-Rod to require the House of Commons to attend her; and that your Excellency could by no Means send the Gentlemen of the Council, who represent the Upper House of Parliament, on any such Errand; which fully convinces us we ought not to insist on any such Privilege.

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'Yet may it please your Excellency, the Persons afore-mention'd are by no Means to be perswaded to agree thereto, and to obey your Orders to attend you; very much to the Damage of your Petitioners, whose Business calls them to their own Islands, which however they would willingly sacrifice, were there any Prospect of our being serviceable to the Publick, by proceeding on Business;

We met this Morning, pursuant to the Adjournment; but we understand the Members of Antegoa are gone off the Island, and our Speaker not come to the House.

We

We therefore most humbly desire your Excellency to dissolve this Assem-

bly by Proclamation, fince they will not

· attend.

And your Petitioners shall ever pray.

William White,
Anthony Ravell,
William Barzey,
Edward Parson,
Jasper Verchill.

Which Petition being read before his Excellency and Council, his Excellency dissolved the General Assembly by Proclamation, as followeth.

St. CHRISTOPHERS.

By his Excellency Daniel Parke, Esq; Captain-General and Commander in Chief in and over her Majesty's Leeward Caribbee Islands in America,

A Proclamation.

Hereas the present General Assembly refuses to enter upon

Business, unless the General will give up the Queen's Prerogative; and also

having refus'd to attend his Excellency

'and the Council, being sent for last Week, and also Yesterday, in order to dissolve them, sive of their own Members came Yesterday, and acquainted the General and Council, that the Assembly were coming to attend the General, but their Speaker refus'd to come with them; whereupon they humbly desir'd, they might be dissolv'd by Proclamation.

'The General and Council being inform'd by some of the Assembly, that the House did not meet this Day, pur-

' fuant to the Adjournment,

'His Excellency therefore, by and with the Advice and Consent of the Council, thinks it necessary for the publick Service, that this General Assembly

be dissolv'd; and they are hereby accor-

' dingly diffolv'd.

Dated April 14, 1710.

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Sign'd by Command,

Will. Martin, Cler' Concil'

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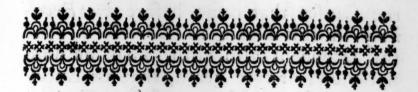
APPENDIX,

Containing

The several DEPOSITIONS, and other Original PAPERS, in the same ORDER they are mention'd and referr'd to in this BOOK, as they were Sworn and Examin'd before the Justices appointed to take the Complainants DEPOSITIONS, to make Good their Complaints against Col. Parke, and transmitted by him, under the Great Seal of the Leeward Islands, for his Justification, pursuant to Directions sent him by the Secretary of State for that Purpose.

N. B. There are as many more Minutes of the Council, Depositions, and other Papers, equally authentick, as (if to be printed) would make up a large Folio Volume; which, for Brevity Sake, are omitted; hoping, that what has been said will give full Satisfaction, as to the just Conduct of Mr. Parke, and expose the Weakness, as well as Malice, of his Accusers.

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APPENDIX.

ANTEGOA.

The Deposition of Herbert Pember, Esq; her Majesty's Attorney-General of all the Leeward Caribbee Islands in America, taken before the Hon. Edward Byam, Esq; and the Worshipful Nath. Crump, Esq; two of her Majesty's Justices of the Peace for the Said Island of Antegoa, on Tuesday the 1st of August, 1710.

The IS Deponent, being duly fworn on the holy Evangelists of Almighty God, deposeth, and faith, That he came over from England to this Island, at the same Time that his Excellency General Parke did; and that he hath since often Times attended as a Council for his Clients, in the Court of Chancery, and

and has been concern'd in most, if not all the Caufes that came before bis Excellency in this Island, as Chancellor: And this Deponent also faith, That he doth not know, or ever heard, that his Excellency took any Manner of Fee, Gratuity, or Reward, for any Subpana, or other Process, or Proceedings, in any Cause or Causes whatsoever, in the said Court of Chancery, or for affixing the Seal to them, or any of them: And this Deponent well knows, that his Excellency hath had a great deal of Trouble and Fatigue with the Business of the said Court; and hath often heard his Excellency wish. that he might be excus'd from holding any Courts of Chancery; for that he believ'd it created him Enemies, as it was almost impossible to please both Parties: And this Deponent faith, He doth not know, or remember, that his Excellency ever wilfully delay'd any Cause depending before him in the faid Court, faving only two, which he apprehended to be Caufes of fuch Difficulty, that he has feveral Times publickly declar'd, he was not willing to venture to determine the one, and therefore desir'd the Parties to agree it, or refer it to Arbitration; and the other, he defir'd the Parties to send Home to England, for the Opinion of two eminent

nent Council in the Court of Chancery there: And farther faith, he was concern'd as a Council in the Court of Common-Pleas, in this Island, for one John Bermingham, against John Painter, in an Action of Debt, upon a Bond; whereof there was a Verdict, and Judgment for the Plantiff; and because it was apprehended that the Defendant intended to get an Injunction out of the Court of Chancery, to stop Proceedings upon the faid Judgment, this Deponent, did then, on Behalf of the Plantiff, offer to the Court, and also to the Defendant's Council, not to insist on the Penalty of the Bond, but to take and accept of the Principal, Interest, and Costs, only then due. Notwithstanding which Offer, the Defendant filed his Bill in Chancery, in order to obtain an Injunction as aforesaid; and accordingly his Council mov'd his Excellency for the same. But this Deponent was inform'd, that his Excellency refus'd to grant the same, 'till such Time as he should hear what the Plantiff's Council had to fay against it; in Regard he had heard what had been offer'd on his Side in the Court of Common-Pleas. as aforesaid: Yet, nevertheless, his Excelcellency, afterwards, upon hearing the Council on both Sides, and at the Importunity of the faid Painter's Council, who alledg'd,

alledg'd, that there was a great deal of Equity in the Cause, dad grant an Injunction: And afterwards, upon hearing the faid Cause in Chancery, his Excellency did decree, that the faid Painter should pay to the said Bermingham, his Principal, Interest, and Costs, both in Common Law and Equity: And this Deponent faith, That in bis Opinion, the Court of Chancery in this Island, instead of being a Grievance to her Majesty's Subjects, is a good and sure Refuge to them, and especially to those who have been wrong'd or oppress'd, and could not be otherwise reliev'd by the strict Rules of Common Law: And this Deponent is also of Opinion, that Justice cannot be rightly and duly administer'd without fuch a Court of Equity; and this Deponent farther faith not.

Connection both Sides, and at the fatte

tempty of the faid Painter's Council

Sworn before us, H. Pember.

Edw. Byam, Nath. Crump.

ANTEGOA

ANTEGOA.

The Deposition of John Brady, Esq, her Majesty's Council at Law for the said Island, taken before the Hon. Edward Byam, and the Worshipful Nath. Crump, Esqs; two of her Majesty's Justices of the Peace for the said Island, on Tuesday the 1st of August, 1710.

HE former Part of this Deposition, is exactly the same with the foregoing, and is omitted, to avoid the Tediousness of a

Repetition.

And this Deponent faith, He was concern'd as Council, in the Court of Common-Pleas in this Island, for one John Bermingham, against John Painter, in an Action of Debt, upon a Bond; whereupon there was a Verdict and Judgment for the Plantiff: And because it was apprehended that the Defendant intended to get an Injunction out of the Court of Chancery, to stop Proceedings upon the Judgment: This Deponent did (in open Court, on the Behalf of the Plantiff) offer to the Defendant's Council, not to infift upon the Penalty of the Bond; but would take the Principal, Interest, and Costs then due: Notwithstanding which Offer, the Defendant filed his Bill in Chancery, in order to obtain an Injuncti-

on as aforefaid; and accordingly his Council mov'd his Excellency for the fame. But this Deponent was inform'd, that he refus'd to grant it, till such Time as he should hear what the Plantiff's Council had to fay against it; in Regard he had heard what this Deponent had offer'd on Behalf of the Plantiff, in the Court of Commons-Pleas, as aforesaid: Yet, nevertheless, his Excellency afterwards, (upon hearing of Council on both Sides, and at the Importunity of the Plantiff's Council, who alledg'd, there was a great deal of Equity in the Cause) did grant an Injunction; and upon hearing the Caufe, his Excellency did decree, That the faid Painter should pay to the faid Bermingham, his Principal, Interest, and Costs, both in Common Law and Equity: And this Deponent also saith, That the Court of Chancery, in this Island, in this Deponent's Opinion, is no Grievance to the Queen's Subjects, but is a Refuge for those who have been wrong'd or oppress'd: Aud this Deponent also saith, He heard bis Excellency declare, be would take no Fee for what he did in the Court of Chancery.

Sworn before us,

J. Brady.

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Edw. Byam, Nath. Crump.

ANTEGOA

ANTEGOA.

A T a Meeting of his Excellency and Council, held at the Town of St. John's, on the 23d Day of August. 1708

Present,

Dan Webshird Francisco

His Excellency Daniel Parke, Efq; Captain-General,

The Hon. John Yeamans, Esq; Lieutenant-Governor.

Edward Byam, Will. Byam, Will. Codrington, George Gamble, Laurence Crabb,

Major Samuel Wickham, of this Island, and one of the Gentlemen of the Assembly of the said Island, this Day personally came, and appear'd before the General, Lieutenant-Governor, and Council, and made Oath on the Holy Evangelists of Almighty God: That about the latter End of July last past, being at the House of Mr. Jacob Morgan, in the Division of Dickson's-Bay, discoursing with Edward Perry, Esq; Commissioner of the Customs of Four and a Half per Cent. in this Island, about Articles against the General, he

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Và

the faid Wickham ask'd, Why he was not let into the Secret as well as others; for that he was a Member of the House? To which the faid Perry answer'd, and told him the faid Wickham, He should see them, provided he would give his Oath not to divulge the fame. Upon which, the faid Wickham told the faid Perry, His scrupling to shew them, was base, and unfair, and ask'd his Meaning for fo doing; whereupon the faid Perry reply'd, and faid, The Design was to prevent the General from having any Notice of them, and thereby hinder him from making too great a Defence: And farther faith not.

The Deposition of Thomas Kerby, of the Island aforesaid, Esq; taken before the Hon. Col. Edward Byam, and Mr. Nathaniel Crump, Justices of the Peace for the said Island, on Friday the 23d Day of Tune 1710.

HIS Deponent being duly sworn on the Holy Evangelists of Almighty deposeth, and faith, That he has examin'd the above-written Copy of the Deposition of Major Samuel Wickham, deceas'd, with the Council-Books of this Ifland.

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Island, and does find the same to be a true Copy. seems and less an invocada othis was a Meriter of the

Sworn before us (Mr. Thomas Kerby. Nevin, and several of the Complainants fame. Upon which being present)

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this and, N. B. The faid Kerby was publick Secretary and Clerk of the Council for the faid Island.

ANTEGOA.

The Deposition of Cuthbert Black, of this Island, Gent. taken before the Honourable the Members of her Majesty's Council of this Island, now sitting in Council, this 17th Day of January, 1709.

THE Deponent being duly fworn on the Holy Evangelists of Almighty God, deposeth, and faith, That on Tuesday the 10th Day, of this Instant January, being at the Town of Falmouth in this Island, and riding by the House of one Nicholas Trant, saw there, one Major Thomas Nanton, Capt. James Barter, Mr. George Lucas, Darby Newgent, John Nanton,

and John Howard, drinking Wine; whereupon Major Thomas Nanton call'd to this Deponent, and defir'd him to alight, and drink a Glass of Wine with them, which he did; and the Persons before-mention'd, came to this Deponent, took him by the Hand, and told him he was very welcome into their Company; whereupon this Deponent fat with them until nigh ten of the Clock in the Night; at which Time, the Company being about to break up, Nicholas Trant came to this Deponent, and ask'd bim bis Reason for signing in Favour of the General; (meaning Daniel Parke, Efq; our Captain-General) To which this Deponent answer'd, That he own'd he had sign'd in Favour of the General, and wish'd the Prosperity of this Island as well as any of them there; whereupon the faid Nicholas Trant took up a Glass of Wine, and ask'd this Deponent to drink this Health; whereupon the Deponent ask'd, What Health? He answer'd, and faid, Confusion to the General's Proceedings, and wish'd they might never prosper. This Deponent telling him he would drink no fuch Health, John Howard call'd him the faid Deponent Pitiful Rascal, Scoundrel, and a great many other bad Names; and afterwards pull'd down the said Deponent's Breeches, and gave bim several Blows. And this Deponent farther faith not. Cuthbert Black.

The Deposition of Cuthbert Black, on the other Side, was sworn by the said Cuthbert Black, this 17th Day of January 1709-10, in Council, before us

> John Hamilton, William Codrington, Thomas Morris, George Gamble, Richard Oliver.

The Deposition of Thomas Kerby, Esq; taken before the Hon. Edward Byam, and Worshipful Nathaniel Crump, Esqs; Justices of the Peace for the said Island, on Saturday the 22d Day of July, 1710.

THE Deponent being duly sworn, on the Holy Evangelists of Almighty God, deposeth and faith, That he hath examin'd the within Deposition, and finds the same to be a true Copy of that which is enter'd in the Council-Book.

Sworn before us (several Tho. Kerby. of the Complainants against the General being present)

Edward Byam, Nath. Crump.

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Phefo asc therefore in her Wajelly's

Maine, this I.A o ocarry Ad command you, and exact of you, That immediate

By the Hon. John Yeamans, Esq; Lieutenant-Governor, and Chief Justice of the said Island.

7 Hereas his Excellency Daniel Parke, V Esq; Captain-General and Governor in Chief of this and all other her Majesty's Leeward Caribbee Islands in America, was, on Monday Night laft, attempted in a barbarous and villainous Manner, to be affaffinated and murther'd, as he was travelling in the Queen's Highway, near the Plantation of Capt. John Otto-Byar; and his Excellency did then receive a dangerous Wound in his left Arm, by a Shot from some villainous Person, that lay secretly lurking in the Canes of the faid John Otto-Byar; fo that 'tis violently suspected, according to Intelligence given in that Behalf, that the fame was done by fome Person belonging to the Family of the faid Capt. John Otto-Byar; and particularly by his Son Bastian Otto-Byar, or one of his Negro Men, call'd Sandy, or Alexander, who are both absconded, and fled from Justice, or by Mr. Richard Smith.

These are therefore in her Majesty's Name, strictly to charge and command you, and every of you, That immediately, upon Sight hereof, you make diligent Search in all fuspected Houses and Places in this Island: And apprehend, or cause to be apprehended, the Bodies of the faid Bastian Otto-Byar, Richard Smith, and the faid Negro-Man, call'd Sandy, or Alexander, or any other Person or Persons whom you shall have Cause to suspect to be guilty, or any Ways concern'd in the aforesaid barbarous Act: And forthwith to bring them before me, or some other of her Majesty's Justices of the Peace of this Island, to answer the faid Crime, and farther to be dealt withal, according to Law: And hereof fail not at your Peril.

> Given under my Hand and Seal at the Town of St. John's, in Council, this 7th Day of September, 1709.

To the Propost-Marshal of this Island, or his lawful Deputy; and also to all Constables, and other her Majesty's Liege People of the said Island, and to every or any of them.

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John Yeamans,

ANTEGOA.

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The Deposition of several Gentlemen of the Island aforesaid, whose Names are under-written: Taken before the Honourable Col. Edward Byam, and the Worshipful Nathaniel Crump, Esq; Instices of the Peace for the Island aforesaid, on Saturday the 22d Day of July, 1710.

HE under-written Deponents being duly fworn, depose, and fay, That they attended, with other Gentlemen, at the Desire of General Parke, to be Witnesses to several Gentlemen and others figning certain Articles against him, at the House of Mr. Patrick West, on the 11th Day of this Instant July; at which House, without any Provocation, or Word spoke to Mr. Nevin, who appear'd on the Behalf of the Complainants, the faid Nevin publickly call'd a Genthere present, (who attended tleman on the Behalf of the General) Impudent Whelp; which the Friends of the General did not resent; only because the said General had fo frequently declar'd his fix'd Resolution, (and had desir'd his Friends) to bare with any Infolence from his Enemies, in their Way of managing

naging the Complaints against him, That the Consequences might not be laid at his Door; which they would not fail to do, how much soever they were the Aggressors; or Words to that Effect : And these Deponents do farther say, That they were in the Court-House in St. John's, on Saturday the 15th Instant, when Mr. Bolt, (who appear'd there for the General) complain'd to the Justices (by Direction of the General) of the ill Manners of the faid Nevin, in his giving intolerable Language, and calling the afore-mention'd Names, and what fatal Consequence might havethere on enfu'd: That then the faid Nevin own'd he had given such ill Language, by calling a Gentlemen fuch Names.

Sworn before us, (several of the Complainants being present)

> Edw. Byam, Nath. Crump.

Andrew Bolt,
Rich. Worthington,
Frederick Woodside,
Clerk,
Fames Rawleigh,
Edw. Morgan,
Philip Walsh,
Herbert Pember.

ANTEGOA.

nem, would sequant the General, to

The Deposition of James Rawleigh, of the Island of St. Christophers, Gentleman, taken before the Honourable John Yeamans, Esq; Lieutenant-Governor of this Island, and Chief Justice of the Same, this 29th Day of July, 1710.

HE Deponent being duly sworn, deposeth, and saith, That on Friday the 28th Day of this Instant July, he was fent by the General (about three or four of the Clock in the Afternoon) to the Honourable Col. Edward Byam, and the Worshipful Nathaniel Crump, Esqs; (who were the Justices that took the Affidavits for and against General Parke) to defire they would go and examine the Affidavits taken on his Behalf; which was the Time appointed by themselves, (as by their Message sent by Mr. Richard Oglethorp) which Justices being at Mr. Nevin's House, Col. Byam answer'd him, That from the Time be left off taking the Affidavits Testerday in the Court-House, he went on examining Affidavits on the Complainant's Behalf, to be sent Home under the Broad Seal, until eight of the Clock that Night, and began again this Morning; and, as yet, not done; but desir'd this Deponent

nent would acquaint the General, he revould send, and let him know when he had done; and then would go upon the Examination of those taken on the General's Behalf: This Deponent then reply'd, and defir'd they would do fo; telling them, the General did design to finish all, and hop'd they might overtake the Fleet: But the Justices did not come, or send, to the General that Night: The next Morning, at ten of the Clock, being Saturday the 29th Instant, July, which Day the Fleet was to fail. This Deponent went again to Mr. Nevin's House, and feveral others, and enquir'd for Col. Edward Byam, to examine the Affidavits afore-mention'd, who was there; then answer'd by Dr. Mackennen, that he was not there; neither could this Deponent learn he was come to Town: And about four or five of the Clock, this Afternoon, this Deponent was fent again to Col. Byam and Mr. Crump, to pray they would examine the General's Affidavits. Col. Byam answer'd, That as soon as he bad taken Mr. Jones's Deposition, be would meet him (this Deponent) at the Coffeebouse, (faying, it was late) in order to examine the Affidavits; but Col. Byam did not come to examine any Thing this Night; and this Deponent was surpriz'd, to see him come to the General's House about the

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the Time, and when he (this Deponent) was going to meet him at the Coffee-house, according to Appointment, with a great Number of Complainants, who brought with them all their Affidavits, and other Papers six'd, in Order, and with a Design, to have them pass the Broad Seal: And farther, this Deponent saith not.

Sworn before me,

James Rawleigh.

John Yeamans.

ANTEGOA.

The Deposition of Thomas Cook, Soldier, in Capt. Rookeby's Company, in Col. James Jones's Regiment of Foot, taken before the Hon. Edward Byam, and the Worshipful Nathaniel Crump, Esqs; Justices of the Peace for this Island, the 27th Day of July, 1710.

HIS Deponent being duly sworn, deposeth, and saith, That some little Time before Christmas last, he call'd at the House of Mr. Jacob Morgan, of this Island, and there being several Gentlemen at Dinner with the said Morgan, this Deponent ask'd them for something to drink; and they did give both Victuals and

and Drink. After which, one of the faid Gentlemen proposing to this Deponent, to shoot General Parke, and offering him a Pistole if he would shoot him, this Deponent said, Though he was in great Want, he would not earn Money after that Rate.

Sworn before us, the Day and Year above-written,

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Thomas Cook.

Edw. Byam, Nath. Crump,

Samuel Fielder, Joseph Roades, Richard Jones, and Joseph Deruke, all Soldiers in the faid Regiment, made Affidavits before the faid Justices, That the above-mention'd Thomas Cook told them the same Thing that he swears to, with this Addition: That he was an idle Fellow that follow'd no Business for his Livelihood, yet was very frequently drunk; fo that they have often wonder'd how he liv'd at that Rate, which was impossible for him to do on his Pay; for which he, nor they, receiv'd but nine Pounds of Salt-Beef per Week; but that they observ'd, he often went to the Houses of Dr. Mackennen, and Capt. Otto-Byar's, both inveterate Enemies to the General; and that when

when he was on Guard, or did any Duty, he had his Victuals from Capt. Otto-Byar's House.

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John Wickham, of this Island, before the Hon. Col. Edward Byam, and the Worshipful Nathaniel Crump, Esqs; Justices of the Peace for the said Island, on Monday the 3d Day of July, 1710.

Brother, (Mr. Samuel Wickham) late Coroner of this Island, dismiss'd the Jury of Inquest, which was first summon'd on the Death of Mr. Sawyer, that Mr. Edward Chester, Sen. lay under the Suspicion of Killing? Do you believe, by any Thing that you have heard, since the said Sawyer's Death, that the said Jury was dismiss'd, and a new one call'd, to oblige the said Chester, and at his Desire?

Ans. I. I do remember to have heard, that there was a Jury summon'd, and dismiss'd on the Death of Mr. Sawyer; that Mr. Edward Chester, Sen. lay under the Suspicion of killing. There was a new Jury summon'd; but whether it was to oblige Mr. Chester, and at his Desire, I can't tell.

Quest. 2.

Quest. 2. Were not the second Jury very eminently the Friends of the said Chester's; and have you not heard, that several of them came to Town on Purpose to be on the said Jury, or had Summons or Notices from the said Chester so to do? Do you know, that your said Brother had any Present from the said Chester, for any Favour done him the said Chester, by your Brother, after the Death of the said Sawyer: And did the said Chester own, your Brother had ever done him any Favour, and that he gave him a Present for it, and what the Present was?

Anf. 2. I do not remember the whole fury, but some of them I know to be eminent Friends of Mr. Edw. Chester, Sen. and have heard they were in Town very early that Morning; but can't say they had Summons so to do, from Mr. Chester. I do remember my Brother to have receiv'd a Present from Mr. Chester, for Favours done him the said Chester; and do believe, 'twas on the Account of the Inquest taken on the Body of Mr. Sawyer; and that the Present was a Pipe of Madera Wine: And that after my Brother's Death, the Said Chester apply'd himself to me, for the Ballance of an Accompt between the said Chester and my Brother, in which I saw a Pipe of Wine charg'd; but then I told the said Chester, be ought not to charge it, for I did remember

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to have heard my Brother say, it was a Prefent. Mr. Chester reply'd, That was between them; which Intimation, I took to be on the Score above-mention'd.

Quest. 3. Do you believe your said Brother ever did the said Chester any other Favour, that the said Chester should give

him such a Present for?

Ans. 3. I do not know that my Brother did the said Chester any other Favour, to have deserv'd such a Present.

The aforesaid John Wickham being duly sworn on the Holy Evangelist of Almighty God, deposeth, and saith, That the several Answers to the foregoing Interrogatories, are the Truth, the whole Truth, and nothing but the Truth.

Sworn before us, (Mr. Nevin, and several of the Complainants being present)

John Wickham.

Edw. Byam, Nath. Crump.

ANTEGOA.

ANTEGOA.

war as David with the street of the state of

Wickham, Efq; Coroner, by the Lieutenant-Governor and Council.

Quest. A S you were Coroner, did you to fit on the Body of one Mr. Sawyer, who came to an untimely Death?

Ans. I. I was inform'd, that there was a Person in the Town of St. John's that was come to an untimely Death, and was defir'd to be in Town, in order to have an Inquest, to know how he came by his Death.

Queft. 2. At what Time had you this

Information?

Anf. 2. The Night before the Inquest was

desir'd to be summon'd.

Quest. 3. Did you give a Summons for an Inquest?

Anf. 3. Tes.

Duell.

Quest. 4. When did you that?

Anf. 4. The Night I had the Information.

Quest. 5. What Time were you in Town?

Ans. 5. By seven of the Clock the next

Quest. 6. When you came to Town, who did you meet with?

Jacob Morgan. Mackennin, and Mr.

Quest. 7. What faid they to you?

Ans. 7. They told me, there was a Jury summon'd to sit upon the deceas'd Body, but that they were all Sailors, and Persons not sit to determine such a Case; and desir'd me to summons a better; for the Person deceas'd was a Gentleman. I told them, I would; and, accordingly, I did.

Quest. 8. Where did you meet with

Dr. Mackennin and Morgan?

Ans. 8. As I was coming into Town.

Quest. 9. Where did you go afterwards?

Anf. 9. I went to Mr. Duncomb's; where I met, in the Way, one Mr. William Glanvill, whom I summon'd to serve on that Inquest, as I had done Mackennin and Morgan just before.

Quest. 10. Where went you next ?

Anf. 10. To the General.

Quest. 11. What said he to you, when

you came there?

Ans. II. I told him, I came in order to view the Body deceas'd. He thereupon order'd me to send for a Barber, and have his Head shav'd, and then bring the Corps into the Streets, and that he would be there; and also bid me send for two Surgeons to open the Head of the deceas'd; which accordingly I did.

Quest. 12.

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Queft. 12. Was the General near when acon Morea it was done?

Anf. 12. Tes. in bisi ted W . T. AlsuQ

Quest. 13. What faid he, then ? Did he menace the Jury, or Evidences? that they were a bosailer

Anf. 13. No.

Quest. 14. How long did the General tay of furnitions a ratter of for soc Perferent

Ans. 14. 'Till the Head was open'd, and the Wound search'd into, to see if there was

any Fracture in the Scull.

Quest. 15. What did you believe the General meant, by staying, and being on

this Occasion so inquisitive?

Ans. 15. I believe, in order that the deceas'd Person may have Fusice done him, and that her Majesty may be truly inform'd how she loft her Subject.

Quest. 16. Did you fee any Wound he

had?

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Ans. 16. One, behind his Ear.

Quest. 17. What did you fay to the Jury, after you had feen the Wound, or

what was your Opinion?

Anf. 17. I don't remember what I faid to the Jury, but I was of Opinion then, and am so still, and have often said the same, that the Wound was the Occasion of his Death.

Quest. 18. What was the Verdict of the

Jury?

Ans. 18. That he dy'd of an Apoplexy, and not by any Blow given.

Quest. 19.

Quest. 19. Who was Fore-man of the Jury?

Anf. 19. Mr. William Glanvile.

Quest. 20. Do you think the General knew Mr. Glanvile?

Ans. 20. No: Because he ask'd me before the Jury was sworn, who was Glanvile?

Quest. 21. Do you know the Reason why the General ask'd you which was Glanvile?

Anf. 21. No. But, several Times since, I have heard the General say, 'twas because he was told, he was sent for on Purpose out of the Country to be Fore-man; he being Mr. Chester's Friend, and had himself, heretofore, an Inquest upon his Maid-Servant.

Quest. 22. What Day of the Week was

Anf. 22. Sunday Morning.

Quest. 23. Does Mr. Glanvile live in St. Fobn's, or in the Parish?

Anf. 23. No, be lives in St. Peter's Parify,

four Miles from the Town.

Quest. 24. What made Mr. Glanvile in Town, on a Sabbath-Day, so early: For you say, 'twas but Seven of the Clock when you met him?

Anf. 24.

Ans. 24. I cannot tell; but, since, I have beard him say, he came to serve his Lord; and several Times he said it, smilingly, and some times laugh'd heartily.

Sworn before me, the Sam. Wickham.
18th Day of June,
1709.
John Yeamans.

ANTEGOA.

The Deposition of Thomas Kerby, of the Island aforesaid, Esq; taken before the Honourable Edward Byam, and the Worshipful Nathaniel Crump, Esqs; Justices of the Peace for the Said Island, on Wednesday the 28th Day of June, 1710.

The IS Deponent, being duly fworn on the holy Evangelists, deposeth, and saith, That he hath examin'd the afore-written Interrogatories and Answers, with the Council-Book of this Island, wherein the same are enter'd, and does find them to be a true Copy.

Sworn before us, (Mr. Tho. Kerby.

Nevin, and several

of the Complainants
being present)

Edward Byam, Nath. Crump.

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ANTEGOA

That a A N T E G O A. Tom salare

The Deposition of Michael Ayon, Esq; Provost-Marshal of the Island aforesaid, taken before the Hon. Edward Byam, and the Worshipful Nath. Crump, Esqs; Justices of the Peace for the Said Island, the 27th of July, 1710.

THE Deponent being duly sworn, declares, That on the 5th Day of September, 1709, about eleven of the Clock at Night, after his Excellency Daniel Parke, Esq; Captain-General of the Leeward Caribbee Islands, was barbarously shot at, out of a Cane-Piece belonging to Capt. John Otto-Byar, one of the Complainants against his Excellency: This Deponent, with Capt. Philip Wallb, and about twenty Soldiers, went up to the House of the said Otto, in hopes to have apprehended the Ruffian who had affaffinated his faid Excellency; having too just Grounds to suspect some of that Family. Upon our entering the faid House, we enquir'd for young Capt. Otto; and we were answer'd by a white Woman

man, He was not at Home. So the Deponent, with the faid Walsh, going up Stairs, met (coming down) the said John Otto-Byar's Wife, who in an imperious Manner ask'd, What the Fellows (meaning the Deponent and Walfb) wanted? The former answer'd, Young Otto, that shot the General. The faid Mrs. Otto, in a ridiculous Passion, reply'd, That we Fellows were more like to floot him, (meaning the General) than young Otto; feconding her Reproaches with abundance of base Billingsgate-Language, not usual among Women of Fashion, as this Deponent then told her. And whereas Mrs. Elizabeth Woodman, in her Deposition taken the 19th Day of June, 1710, in the Court-House of St. John's, before the Honourable Col. Edward Byam, &c. fays, That Mrs. Otto was then in Child-bed; and that feveral Gentlemen fearch'd under her Bed, the which this Deponent folemnly avers to be all false in Fact: And farther deposeth, That the faid Mrs. Otto, during the Time the faid Deponent and Walf were there, was not in Bed, nor out of the Sight of the faid Deponent, only while he was fearthing a Room or two, or some very small Time: He likewife avers, That Capt. Wall was with this Deponent all the Time, and that he ZA did

did not look under any Bed of the faid Otto's, that this Deponent could perceive, nor any other Person: The faid Deponent farther declares, That the faid Mrs. Elizabeth Woodman was not above Stairs when this Deponent and Wallh were there; for that she continu'd below, to the best of this Deponent's Knowledge: No Person going up with the Deponent and faid Walsh, but Capt. Otto, Sen. and some Soldiers: And farther; The said Woodman, in her Deposition, says, The faid Gentleman grofsly abus'd the faid Otto, Sen. The Deponent avers to the contrary, as appears by the faid Capt. Otto's Depofition. She likewise says, There was a great many Gentlemen, besides Soldiers; which this Deponent fays, upon Oath, is abominably false; for that there was only the faid Capt. Wallh and this Deponent, besides the said Soldiers. She likewife fays, That being a Stranger in the said Island, the Persons who search'd under the Bed were unknown to her: Therein, fhe fays true; for this Deponent did not fee any Person, and really believes no Body did look under the Bed; fo, confequently, unknown; but, this Deponent does aver, that he heard the faid Woodman call this Deponent and (verily believes)

lieves) the faid Wall by their respective Names, feveral Times that Night. nor any other Pariona, High

Sworn before us, (fe- Michael Ayon. veral of the Complainants against the General being present) the both of this Department showing depris

man Edw. Byam, or the Loren notes love Nath. Crump.

Col. Lilly's Report about the Forts and Fortifications, March the 24th, 1707, recommended to the Assembly.

May it please your Excellency,

TAving view'd all the Coasts, as well as the Fortifications of this Island, I find it altogether open, and liable to the Attempt of an Enemy, when, and almost where ever he shall please to attack it: And there is no fuch Thing in the whole Country, as deferves the Name of a Fort; for that which is built upon Monk's-Hill, is not fo, fince an Enemy, upon his first Landing, without having Occasion to bring any Cannon against it, may eafily make himself Master of it with Sword in Hand: Nor can this Place, in my Opinion, be well fortify'd, without a very great deal of unnecessary Expence, for these Reasons: First, Becaufe

cause the Advantage which the People have thought to reap by the Eminence of the Place, is only imaginary, and not real, fince there are other adjacent Hills which do command it. Secondly, Because there is upon the Place no Earth to be had, which is, or ought to be, the chief Ingredient in Fortification, for to avoid a far greater Expence in Masonry. Thirdly, Because (for to make this Fortification good and tenable) there is not one of the chief Lines, or Walls already built, that can be fav'd or made Use of, they being all of them contriv'd and delineated contrary to one of the most fundamental Rules and Maxims in the Art of Fortification; which requires, That all the Parts of a Fort should mutually flank and defend one another. Upon all which Confiderations, I do hereby utterly condemn Monk's-Hill, as unfit to be farther proceeded upon: And I do hereby humbly give it as my Opinion, that it will be much better for the publick Good and Safety of this Island, that some other Place should be pitch'd upon, where the former Inconveniencies in Fortifying may be avoided, and the natural Advantage of the Situation may be fully made Use of: And if this my Opinion shall meet with Approbation, I then desire, that your Excellency will be pleas'd to cause

cause a Committee to be appointed, to meet from Day to Day, for to assist me in this Matter: Which is all, at present, from

Your Excellency's

Most humble, and most

Obedient Servant,

C. Lilly.

ANTEGOA.

The Deposition of Thomas Kerby, Esq; taken before the Hon. Edward Byam, and the Worshipful Nathaniel Crump, Esqs; Justices of the Peace for the said Island, on Wednesday the 28th Day of June, 1710.

Being duly fworn on the Evangelists of Almighty God, deposeth, and saith, That the foregoing is a true Copy of a Letter from the above-nam'd C. Lilly, enter'd in the Council-Book by Order of his present Excellency.

Sworn before us, (Mr. Thomas Kerby.
Nevin, and several
of the Complainants
being present)

Edward Byam, Nath, Crump,

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ANTEGOA.

ANTEGOA.

To his Excellency Daniel Parke, Esq; Captain-General and Commander in Chief in and over all her Majesty's Leeward Caribbee Islands in America,

The Address of the Representatives of this her Majesty's Island, now assembled at the Town of St. John's.

May it please your Excellency,

Cellency's Care and Regard for this Island, not only by your quick Return to us from the Leeward, but also in supplying us, out of her Majesty's Bounty to these Islands, with Cannon, Powder, small Arms, Cartouch-Boxes, and Swords: For all which we return your Excellency our most hearty and humble Thanks; as we do, in like Manner, for your indefatigable Pains and Trouble, in directing and causing the said Cannon, in your proper Person, to be landed with

with little or no Charge to the Publick. We are,

Your Excellency's

Most obliged

Humble Servants,

Rich. Oliver, Speak. John Brett,
William Grear, Jerem. Blizard,
John Paynter, Will. Thomas,
William Pearn, Edward Perry,
William Byam, Francis Rogers,
Bablift Looby, Sam. Philips.

This is fworn by Thomas Kerby, to be a true Copy taken out of the Council-Book, before the Hon. Col. Edward Byam, and the Worshipful Nathaniel Crump, Esqs, Justices of the Peace for the said Island, the 7th Day of July, 1710, Mr. Nevin, and several of the Complainants, being present.

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The Deposition of the Hon. George Gamble, Esq; one of her Majesty's Council for the aforesaid Island, taken before the Hon. Edward Byam, Esq; and the Worshipful Nath. Crump, Esq; two of her Majesty's Justices of the Peace for the said Island, the 28th Day of June, 1710.

Eorge Gamble, of the Island aforesaid, I Esq; deposeth, and faith, That about eighteen Months ago, he happen'd to be in Company with some Gentlemen. among whom Capt. Giles Wattkins, Brother to Judge Wattkins of this Island, was one, who (on some Discourse introduc'd, relating to our General, Col. Daniel Parke, Chief Governor of this and the rest of her Majesty's Leeward Caribbee Islands) was pleas'd (directing his Words to this Deponent) to express and deliver himself after the following Manner, viz. You shall find, that his Bufiness (meaning the General's) is effectually done for him; adding, That an Account of his being remov'd would soon come to Hand, in a Packet or two, or Words to that Effect; to which this Deponent reply'd, faying, He thought it would look very bard, (if not unjust) that any Person (much

(much more a Chief Governor) should be displac'd from his Office without first being heard on the Articles of Charge exhibited against bim; which he the faid Wattkins, and the reff who had fign'd them, had industriously conceal'd from him and his Friends, who would willingly have had a Sight of them, but could not: This Deponent farther expressing himself, That he hop'd there was no such Corrruption in the Court of England, as to admit such indirect Proceedings; adding, That if any Man should complain of him to the General, (meaning Col. Parke) he would think it very unjust to be condemn'd, without being first heard in his own Defence. To which, he the faid Capt. Wattkins anfwer'd, 'Tis no Matter for that, we will condemn him first, and let him be judg'd afterwards: And farther faid, We, (feeming to speak the Sense of the whole Party) have rais'd a considerable Sum of Money to do it; and Nevine, Nevine! will fee it effectually perform'd; continuing, That if what is already rais'd prove not sufficient to turn bim (meaning the General) out of his Government, no Sum shall be wanting; for that if nothing else could accomplish it, Money would; with other Expressions to this Purpose. And thereupon this Deponent told him, fuch Attempts were an Argument of a bad Cause; and notwith**standing**

standing their Money, he (this Deponent) question'd not, but Justice would take Place; and that he had good Reason to believe their Proceedings against the General, in the End, would appear very little else than the Effects of Malice, private Pique, and a sham Regard to the publick Welfare: Upon which, the faid Wattkins fell into a great Passion, using many unbecoming Expressions relating to the faid General: And after this Deponent's reprehending him for it, 'twas concluded by the Company, that the Discourse should then cease; which it did accordingly. And this Deponent faith not more, than that he has heard the said Wattkins, not once, but several Times, utter Words to the fame Purpose, as here fet forth by this Deponent.

Areument of a bad Caule; and rowith-

Sworn before us, (Mr. Nevin, and several of the Complainants being present) Geo. Gamble.

Edw. Byam, Nath. Crump.

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ANTEGOA.

The Deposition of Capt. John Bermingham, of the Island aforesaid, taken before the Honourable Col. Edward Byam, and the Worshipful Nathaniel Crump, Esqs, Justices of the Peace for the said Island, on Tuesday the 1st of August, 1710.

HIS Deponent being duly fworn, deposeth and faith, That about the 18th or 19th of May last, this Deponent was in Company with Col. William Codrington, at the House of Mrs. Megann; Tavern-keeper in the Town of St. Fobn's, and the faid Colonel discours'd this Deponent (being an Attorney of Major-General Lambert's, who was a confiderable Legatee in the Will of Col. Christopher Codrington deceas'd) about proving the same, and of General Parke's refusing thereof: And the faid Col. William Codrington then told this Deponent, if the General would prove the faid Will, without making him give Security, he would make him a very handsome or confiderable Present: And by the Manner of the Colonel's Discourse with this Deponent, he apprehended, he desir'd him to propose the same to the General; which he then ask'd the said Colonel, who desir'd that he would; and accordingly he did Aa propose propose it to the General, who told this Deponent, that he believ'd the Will in England would take Place, and therefore would, not for all the World prove the same without Security: And added, That he would not accept any Present from such a Wretch as he was, who counterfeited his Hand, and said, He wonder'd at his Impudence in offering it; and was very angry with this Deponent for bringing the said Message. After which, the said Colonel did give Security, as afore-mention'd, and the General did then immediately prove the said Will.

Sworn before us,

J. Bermingham.

Edw. Byam, Nath. Crump.

ANTEGOA.

The Deposition of James Rawleigh, of the Island of St. Christophers, Gentleman, taken before the Honourable Edward Byam, and the Worshipful Nath. Crump, Esgs; Justices of the Peace for this Island, on Tuesday the 1st of August, 1710.

THIS Deponent, being duly fworn on the Holy Evangelists of Almighty God, deposeth, and saith, That on Tuesday the 9th of May last past, he arriv'd

on this Island, and brought with him the last Will and Testament of Col. Christopher Codrington, deceas'd; with which he was intrusted, and fent hither by the Hon. Michael Lambert, Efq; Lieutenant-Governor of the Island of St. Christophers, to get the same prov'd before his Excellency Daniel Parke, Esq; Captain-General of the Leeward Caribbee Islands, and Ordinary of the same: And when so prov'd and recorded, he was directed by the faid Governor Lambert to deliver the faid Will to Lieut. Col. William Codrington, fole Executor thereof, but not before it was prov'd: And that on or about the 12th Day of the faid Month of May, Lieut. Col. William Codrington arriving from the Island of Barbuda, and fending for this Deponent to the House of Mr. Magann, Tavern-keeper, at the Town of St. John's, in the Island aforesaid, he (this Deponent) (confidering and believing it for the Safety and Interest of the Trust repos'd in him (this Deponent) by the faid Governor Lambert, who has a considerable Estate left him by the faid Will, which he the faid Codrington still detains from him the faid Lambert's Attornies) immediately went to the House of his Excellency General Parke, and deliver'd him the faid Will, praying the faid General would be pleas'd to secure A 3 2

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the same until it was prov'd, (doubting the faid Lieutenant-Colonel William Codrington might have defir'd a Sight thereof before it was prov'd, and fo have made away with, or destroy'd the same, whereby Governor Lambert might have been robb'd of the faid Estate) he telling the General at the same Time, that Lieut. Col. William Codrington was arriv'd from Barbuda, and had fent for him this Deponent, who farther declares, he never was refus'd the faid Will by the General: But on the contrary, on Tuesday the 16th of the faid Month of May, this Deponent went to the General, and defir'd his Excellency would be pleas'd to deliver him back the faid Will, which the General immediately gave this Deponent, without any Words of Refusal, or the least Hesitation: And the faid Will he deliver'd to Capt. John Bermingham, one of Governor Lambert's Attorney's, who went immediately to the House of Caleb Lasher, Tavern-keeper, in the said Town of St. John's, with this Deponent, and there deliver'd the same to Lieut. Col. William Codrington; being then prefent, Col. John Hamilton, Col. William Byam, Lieut. Col. John Sawcolt, Capt. John Roach, and Capt. Ralph Whillett. Presently after, the said Lieut. Col. William Codrington went to the new House of

of the faid General Parke's, in Company of the Hon. John Yeamans, Efq; Lieutenant-Governor, and Col. John Hamilton. who were Witnesses to the faid Will, and the major Part of the above-mention'd Gentlemen, in order to get the same prov'd before the said General Parke, where he then was: And Application being made to prove the faid Will, the General answer'd, He knew there was a former Will in England, made by Col. Christopher Codrington; in which Will, he, the faid General Parke, believ'd he was an Executor, or at least had a Legacy left him; and that before he would prove the Will then produc'd to him, he would take Advice of Mr. Pember, the Attorney-General, and Mr. Brady, one of the Queen's Council, (which he accordingly did) whether he might with Safety prove the faid Will, without Prejudice to those who were concern'd in that Will, made in England, as also to himself, or Words to that Effect: And the faid Will which the Deponent brought from Governor Lambert, of St. Christopher's, was prov'd on that Day Sevennight, which was the 23d Day of May last, before his faid Excellency General Parke, as Ordinary of the Leeward Caribbee Islands in Council: So that Part of Lieut. Col. William Codrington's Answer Aa 3

to the Interrogatories exhibited against him, on the 15th Day of this Instant July, which he this Deponent hath seen, is erroneous.

Sworn before us,

James Rawleigh.

Edw. Byam, Nath. Crump.

ANTEGOA.

The Deposition of Grace Porter, Wife of Capt. Robert Porter, of the Island aforefaid, taken before the Hon. Col. Edward Byam, and the Worshipful Nath. Crump, Esqs; fustices of the Peacefor the saids and, on Monday the 3d Day of June, 1710.

on the Holy Evangelists of Almighty God, deposeth and saith, That about two Years last past, Mordecai Pallachio, a Jew, had liv'd at the House of this Deponent about nine Months; during which Time the said Pallachio often spoke of General Parke with great Respect, and particularly on Account of Money ow'd him by one Abraham Redwood, of this Island; which Money, he said, he should have never got, but by Means of the said General, who had advanc'd him a great Part of it, and had promis'd him the rest, when

when he should receive it of the faid Redwood; or Words to that Effect: And this Deponent farther faith. That one Morning, a Negro-Boy came in great Haste to enquire for Mordecai, and she ask'd him, Whose Boy he was? And he faid, Mr. Barns's; and that his Master bid him hunt for him 'till he had found And some Time after, the faid him. Pallachio came back to the House of this Deponent, in a great Heat; and this Deponent asking him, What was the Mattter? He said, He had been sent for to the House of Mr. Edward Perry; and that the faid Perry, and feveral Gentlemen, desir'd him there to sign a Paper against the General, That be had cheated bim; and that they would give him the full Money Redwood ow'd him: Whereupon he ask'd them, Why they would not do it for him before? But they still defiring him to fign the Paper against the General, and he refusing, they took him by the Hand, and brought him to the Door, and bid him be gone: And he also said to this Deponent, that they were all a Pack of Roques.

Sworn before us (Mr. Nevin, and several of the Complainants being present)
Edw. Byam,

Nath. Crump.

Grace Porter.

ANTEGOA.

ANTEGOA.

The Deposition of Joseph French, Esq; taken before the Hon. Col. Edw. Byam, and the Worshipful Nath. Crump, Esqs; fusices of the Peace for the said Island, on Monday the 3d Day of July, 1710.

TO seph French, of the Island aforesaid, J Esq; maketh Oath, That it being reported, That Mordecai Pallachio, a Jew, had made over a Bond which he had from Abraham Redwood, for One hundred and twenty Pounds, current Money, to his Excellency General Parke, for the Sum of fixty Pounds current Money: He (this Deponent) feeing the faid Pallachio one Day at the House of Mr. Caleb Lasher, Vintner, in St. John's Town enquir'd of him the Truth of that Report. To which, the faid Pallachio reply'd, That it was true, he had made over the Bond to the General, for that the General could do no more than he was able in the Recovery of it: And withal told this Deponent, that he had receiv'd fixty Pounds in Money: Opening, and shewing this Deponent a Parcel of Pistoles, that were ty'd up in a Rag, which he took out of his Pocket. This Deponent

believes there might be between forty and fifty: And also said, He was to have the Remainder as fast as the General receiv'd it in: This Deponent also saith, That at the same Time and Place, the said Pallachio acknowledg'd the General's Favour and Kindness to him, which he express'd in the best Terms he could.

Sworn before us, (Mr. Nevin, and several of the Complainants against the General being present)

Fos. French.

Edw. Byam, Nath. Crump.

ANTEGOA.

The Deposition of William Kenedy, of the faid Island, Planter, taken before the Hon. Col. Edward Byam, and Mr. Nathaniel Crump, Justices of the Peace for the said Island, on Friday the 27th Day of July 1710.

THIS Deponent, being duly sworn, on the Holy Evangelists, deposeth and saith, That one Anne Bryan dy'd at Capt. Horn's Plantation, without Heirs, about seven or eight Years since, to the best of this

this Deponent's Remembrance, and 29 h. 14s. 6 d. being found in her Chest by the Overseer of the said Plantation, (one William Child) he deliver'd it to Mr. Feffry Duncomb, Manager of the faid Plantation, and took his Obligation for it; and foon after, the faid Child dy'd, and the Obligation came into the Hands of this Deponent, who often demanded the Money of the faid Jeffry Duncomb, defigning to give it to the two God-Children of the said Bryan, she having in her Life-time said, she design'd it for them, or one of them; her God-Daughter being the natural Child of Samuel Horn, in whose Service she got the Money: The faid Duncomb put him always off, tho' he (this Depopent) was willing, and offer'd to take one Half of it: But the faid Duncomb at last told him. He would pay none of it, because it belong'd to the Queen, (their being no Heir.) On which this Deponent told him, If it belong'd to the Queen, the General had more Right to it than him, and he should have it; and accordingly came and told the General of it; who fent Mr. Kerby the Secretary for Jeffry Duncomb, who gave his Note to the General for the faid Sum, which the General kept fome Time in his Hands; and no Heir appearing, he very generously assign'd it over, and gave it to the God-DaughDaughter of the faid Bryan. And farther this Deponent faith not.

Nevin, and several of the Complainants against the General being present)

Will. Kenedy.

Edw. Byam, Nath. Crump.

The Deposition of Thomas Kirby, Secretary of the said Island, taken before the Hon. John Yeamans, Esq, Lieutenant-Governor of this Island, in the Presence of the Honourable the Members of her Majesty's Council of the said Island, sitting at the Town of St. John's this 14th Day of June, 1709.

Who being duly examin'd and fworn on the Holy Evangelists of Almighty God, did declare, That from the 6th Day of March 1706, to this prefent Day, he has acted as Register of the Ordnary's-Office of this Island; and, during that Time, has collected and receiv'd the Fees which his Excellency takes as Ordinary, for Letters of Administration,

Licenses for Marriage, Probats of Wills, and Letters of Guardianships: And all the Fees which he has collected and receiv'd amounts but to one hundred and thirteen Pistoles, and twenty four Shillings, accounting each Pistole at twenty eight Shillings: The Deponent farther declares, That his Excellency has order'd him (the faid Deponent) to remit the Fees of Administration, Guardianship, and Probats of Wills, to such Perfons as the Deponent told his faid Excellency were poor and indigent, as also fome Orphans; which the Deponent fays he has accordingly done. And farther this Deponent faith not.

Sworn before me, the Day and Year above-written, Thomas Kerby.

John Yeamans.

N. B. This Deposition is sworn, by the said Kerby, to be a true Copy from the Council-Book, before Col. Byam and Mr. Crump; and the Depositions of Mr. Pember and Mr. Brady, prove the General took no Fees as Chancellor.

ANTEGOA:

The Deposition of John Brett, Esq, taken before the Hon. Edward Byam, and the Worshipful Nathaniel Grump, Esqs; Justices of the Peace for the said Island, the 28th Day of June, 1710.

TOhn Brett, of the said Island, Esq; maketh Oath, That some time in the Month of May 1707, he (this Deponent) happening to be at the House of Daniel Parke, Esq; her Majesty's Chief Governor of the Leeward Islands, where he had shewn to him, by the faid Chief Governor, an Accompt then fettled between him the faid Chief Governor and Edward Chefter, Sen. of the aforefaid Island, Merchant, wherein the faid Chester had given Credit for two Sums, of two hundred and fifty Pounds each, which this Deponent apprehending to be due, and to be paid actually in the Specie of Money, acquainted the faid Commander in Chief, That he had injur'd himself, in the suffering the faid two Sums to go towards the Discharge of the said Debt: Part of the faid Accompt, which was eight hundred Pounds for twenty Negro-Women bought, to be paid in the Country Produce: There being at that Time near 50 per Cent Difference, between paying in the Country Produce and paying in the Specie of Money: Whereupon the faid Commander in Chief told this Deponent, That the next Time he adjusted Accompts with the faid Edward Chester, he would do himself Right, by stopping so much as the Difference amounted to: And this Deponent has since heard, that the said Commander in Chief did stop in his Hands one hundred and sifty Pounds of the said Chester's Money, on that Score. And farther this Deponent saith not.

Sworn before us, (Mr. Nevin and several of the Complainants being present)

John Brett.

Edw. Byam, Nath. Crump,

ANTEGOA.

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The Deposition of John Roach, of the Island aforesaid, Merchant, taken before the Hon. Edward Byam, and the Worshipful Nath. Crump, Esqs; Justices of the Peace for the Said Island, the 28th Day of June, 1710.

HE faid Deponent, being duly sworn, deposeth and faith, That being with General Parke at his own House, in St. Fohn's in the Beginning of October 1707, Mr. Edward Chester, Sen. came to the General, and told him, he heard he wanted some Provisions for his Negroes; and, if he pleas'd, he would let him have ten Barrels of damnify'd Flower. The General ask'd him, What he should give him for it? He faid, it was fo damag'd, he could not well tell how to fet any Price upon it; but perhaps the Negroes might find some of it fit to eat; and, if he pleas'd to accept of it, 'twas at his Service. Upon which the faid General thank'd him. And this Deponent farther faith, That the faid Chefter never fat down, nor came farther than the Door; nor never mention'd one Word of any Register: And farther the Deponent saith, He understood, afterwards, by Mr. Chefter.

ster, that the Flower came out of the Anne Brigantine, which had been overset, and lay under Water for eight and forty Hours together.

Sworn before us, (Mr. Nevin, and several of the Complainants being present)

John Roachs

Edw. Byam, Nath. Crump.

ANTEGOA.

The Deposition of John Barbotain, of the Town of St. John's, Merchant, taken before the Hon. Edward Byam, and the Worshipful Nathaniel Crump, Esqs; Justices of the Peace for the said Island, on the 28th Day of June, 1710.

THIS Deponent says, That he being acquainted with the Seizure of sixteen Firkins of Butter, and some Tobacco, upon Supposition that it was intended to be sent to Martinico, in a French Flag of Truce, on or about the Month of August, in the Year of our Lord one thousand seven hundred and seven: He (the said Deponent) never apply'd to his Excellency Col. Parke, to claim the said Butter,

or Tobacco, or any Ways petition'd for the same.

Sworn before us, (Mr. Nevin, and several of the Complainants being present)

J. Barbotain.

Edward Byam, Nath. Crump.

ANTEGOA.

A T a Meeting of his Excellency, Council, and Assembly, held at the Town of St. John's, on Saturday the 24th of May 1707.

Present,

His Excellency Daniel Parke, Esq; Captain-

The Hon. John Yeamans, Esq; Lieutenant-Governor,

John Hamilton, Je George Gamble, Bedward Byam, Will Codrington, Je Henry Lyons,

The Gentlemen of the Assembly, to his Excellency and Council.

A Bout four Months past, there was an Order of the Lieutenant-Governor, Council, and Assembly, to Col. SaB b muel

muel Wattkins, Store-keeper, for the remitting the Duty of Powder to all Ships, or other Vessels, own'd by any of the Inhabitants of this Island, according to what Part they should own; which we believ'd would very much contribute to the Encouragement of Trade: But we are inform'd, the said Col. Wattkins refuses to obey the said Order. We therefore pray your Excellency and Council will be pleas'd to send for him, to know his Reasons why he will not comply with the same.

Richard Oliver, Speaker.

His Excellency and Council, to the Gentlemen of the Assembly.

Gentlemen,

positive Order to Col. Wattkins, for remitting the Powder due and payable from the Masters of the Vessels which are own'd wholly, or in Part, by the Inhabitants, or Livers on this Island; but if there was, we think he is not oblig'd to obey the same, seeing there is an Act to exact the Payment thereof; and that the Order was not given by the General; but if you now desire it, his Ex-

Excellency will give Orders to Col. Wattkins, to defift from the Collection thereof, from the Masters of Vessels own'd, as above-mention'd.

By Command,

AND REPORTED THE

Tho. Kerby, Cler' Concil'

The Gentlemen of the Assembly, to his Excellency and Council.

IN Answer to your last Message, we humbly request your Excellency will give Orders to Col. Wattkins, to remit the Duty of Powder to such Ships or other Vessels as have been own'd by any of the Inhabitants of this Island, according to their Parts, since the Date of a Petition preferr'd to the Lieutenant-Governor, Council, and Assembly, to that Purpose: And that he do not demand any more Powder from him for them future.

Richard Oliver, Speaker.

Examin'd, and fworn to be a true Copy from the Council-Book, by

Tho. Kerby.

Before Edward Byam,
Nath. Crump.

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ANTEGOA.

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The Deposition of the Han. George Gamble, Esq; one of her Majesty's Council for the said Island, taken before the Honourable Edward Byam, and the Worshipful Nath. Crump, Esqs; Justices of the Peace for the Island aforesaid, the 28th Day of June 1710.

declares, That understanding, among other Charges exhibited against Daniel Parke, Esq. Chief Governor of this and the rest of her Majesty's Leeward Caribbee Islands, in the nineteenth Article, it was declar'd, That the said Chief Governor, in some Discourse which happen'd at the House of Lieut. Col. Francis Rogers, should say, That if it were not for the Sake of some particular Friends, he would send the Island (meaning this Island of Antegoa) to the Devil: Now, this Deponent being inform'd, that he was one of the Company when the said Words were alledg'd to be spoken, he (this Deponent) has endeavour'd thoroughly to recollect himself concerning what Expressions then pass'd; and deposeth, That he can't call to Mind any such Words utter'd by him the said General; but this

this Deponent well remembers, that on feveral Discourses, he has heard (himfelf, as well as often Times in publick Company with the General, both before and fince Mr. Nevin went from this Island with Articles) the faid General declares, He was mightily mistaken in the Conception he had of the Government of the Leeward Islands; and for any Profit be had already, or foresaw, was like to gain by it, were it not for the Sake of his particular Friends, he would quit the Government to Morrow; or Words to that Purpose. And this Deponent, as one of her Majesty's Council, being more conversant with the faid General, than Men in coinmon, depofeth, That at all Times, when the Interest of this Island was talk'd of in Presence of him the said General, and in the Deponent's Hearing, he has obferv'd him to express himself in relation thereto, more with a distinguishing Regard, than otherwise; and hath often faid, in the Hearing of this Deponent, both in Council and elsewhere, That be was forry the Gentlemen of the Country knew not their true Interest; and that he would gladly continue to use his Endeavours to make the Island a flourishing Colony, and to do them all the Good he could, if they would suffer bim; but be fear'd their Mistakes and Prejudicee would have a very different B b 3 Effect:

Effect; and that when their Eyes were open'd, they would blame themselves when twas too late: And farther this Deponent faith not.

Sworn before us, (Mr. Geo. Gamble. Nevin, and several of the Complainants being present)

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Edw. Byam. Nath, Crump.

ANTEGOA.

The Deposition of Lieut. Col. Francis Rogers, of the Island aforesaid, taken before the Honourable Edward Byam, and the Worshipful Nathaniel Crump, Esqs; Justices of the Peace for the Said Island, the 28th Day of June, 1710.

Rancis Rogers, of the Island aforesaid, Esq; deposeth, That some Time in the Beginning of the Year 1708, to the best of this Deponent's Remembrance, Daniel Parke, Efg; Chief Governor of her Majesty's Leeward Caribbee Islands, din'd at this Deponent's House, in Company with Col. George Gamble, Col. Samuel Wattkins, and Capt. Joseph French, all of the Island aforesaid, and Lieut, Col. Florer, who

who the Deponent supposes is now in England, and Capt. Forrence at St. Christopher's; whereupon some Discourse arifing, the Particulars whereof, this Deponent doth not well remember, the General being mov'd in Passion, express'd himself to the best of the said Deponent's Remembrance, after the following Manner, viz. That were it not for some Friends be had in Antegoa, he did not care who the Devil had the Island, or who the Devil had the Government; but that this Deponent does not remember he should fay, He would send the Island to the Devil; but on the contrary, has oftentimes heard him (the faid General Parke) express himself with a particular Regard and Concern for the Welfare and Prosperity of the same; which seems evident to this Deponent, by his fending feveral great Guns and Ammunition from Leeward, in order to be mounted, for the better Defence of this Island; and which Guns were landed here with very little Charge to the Publick, as this Deponent hath been inform'd: And farther this Deponent faith, That when this Island was twice under an Apprehension of being invaded by the Enemy, he the faid General Parke (the first Time being to Leeward) not only came up himself, and brought some Soldiers with him, but Bb 4 alfa also sent for most of her Majesty's Troops, which were then to Leeward; and which he also did, the second Time, when Monsieur Du Cass was expected, he the said General being then upon the Island. This, with the Fatigue he underwent at Monk's-Hill, and making the Lines about the Town of St. John's, is a sufficient Proof to this Deponent, (and he believes, to all unbyass'd People) of his Resolution to defend this Island to the utmost of his Power: And farther saith not.

Nevin, and several of the Complainants being present

Francis Rogers.

Edw. Byam, Nath. Crump.

ANTEGOA

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ANTEGOA,

The Deposition of Joseph French, Esq; Treasurer of this Island, taken before the Hon. Edw. Byain, and the Worshipful Nath. Crump, Esqs; Justices of the Peace for the Said Island, the 28th Day of June 1710.

TOfeph French, of the Island aforefaid, maketh Oath, That to his (this Deponent's) Knowledge, Daniel Parke, Efq; her Majesty's Chief Governor of the Leeward Islands, hath, out of his Regard for the Good and Defence of this Island, (when an Invasion was expected) order'd up from the other Leeward Islands, some Companies of Soldiers, Great Guns, Ammunition, &c. and that, as he (this Deponent) hath been inform'd, to the Regret and Dislike of the Inhabitants, from whence the fame were brought: And that he in Person, landed the aforesaid Great Guns, with little Charge, to fave the Expences the Publick must have been at for doing thereof, by any other, a confiderable Sum being requir'd: And this Deponent also saith, as he was, and is Treasurer, he was oblig'd, very often, to attend the General; and never heard him but to express a great Regard for this Island;

Island; and his Defires were, that he might be enabled to fecure and defend the fame. And altho' this Deponent knows the General to have had an indifferent Opinion, as to the Strength of the Fortification of Monk's-Hill, yet, observing, that a great many of the Inhabitants look'd upon that Place as a good Retreat to, on an Invasion, he hath offer'd himself, from Time to Time, in Person, to attend, lay out, and direct some new Works to be done there; and that to this Deponent's Knowledge, he hath, for several Weeks together, in Person, attended, laid out, directed, and finish'd some of the faid new Works: And this Deponent also saith. That as he was one of the Members of the Affembly, he hath feen repeated Messages from the General to the Assembly, urging them to join with him and the Council, for the passing some wholesome Laws for the farther carrying on the Works on the faid Hill, and fuch other Works as should be deem'd necessary, for the Defence of this Island; as also for a more strict Discipline of the Militia, which was neglected thro' the Easiness of the Fines and Punishments for Non-appearance. This Deponent also faith, That he attended the General to Col. Francis Rogers's House, at an Entertainment there; and that there were prefent

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fent (besides the Deponent, and the faid Col. Rogers) Col. George Gamble, Col. Samuel Wattkins, both of this Island, and Col. Floyer and Capt. Forrence, Officers in Col. Lilling ston's Regiment; the former being now in England, and the latter at St. Christopher's, as this Deponent is inform'd: And this Deponent faith, That he well remembers a Discourse to have arisen at the said House, about an Affront given the General by the Affembly, who would not confent to the passing a Law for the farther carrying on the Works on Monk's-Hill, altho' the General had offer'd himself to attend and direct the same, unless a Member of their House had the chief Management thereof; which Bill the General pass'd, rather than permit the Works to cease: And this Deponent well remembers, that the faid Discourse was chiefly between the General and Col. Wattkins, and that the faid Wattkins express'd his Dislike of that Action, not only as it was an Affront to the General, but likewise as it was a Mismanagement in the Assembly, the Person employ'd being wholly ignorant in Affairs of that Nature. The aforefaid Discourse, with some others, of ill Usage to the General, occasion'd his expressing himself, That at his accepting the Government, he had another Thought of it, than he hath found it;

for that neither Honour nor Profit would redound to a Chief Governor commanding fuch People; and that it was his Friends that kept him from relinquishing his Government; otherwise he car'd not who the Devil had the Island, or the Government; or Words to that Effect : And the faid Deponent faith, and positively avers, That at that Time there were not those Words spoken, as are mention'd in the nineteenth Article exhibited against the General: And this Deponent farther faith, That he well remembers, that at the faid House, he drank to the Prosperity of this Island; and also saith, That he has attended the General at a great many Entertainments in this Island, both before the aforegoing, and fince, and cannot remember that he ever omitted at any one of them, either drinking, or ex-pressing himself, to have wish'd the Profperity thereof: And this Deponent also faith, That his Care for this Island in particular, is obvious to the whole Government, in that when an Invafidn was threaten'd, (the General being at Leeward, at St. Christopher's or Newis) which hath happen'd once of twice, (to this Deponer's Knowledge) he hath not only in Person immediately come up, but order'd up also the Queen's Troops, for the

Defence thereof: And farther faith

Sworn before us, (Mr. Jos. French. Mevin, and several of the Complainants being present)

Edw. Byam. Math. Crump.

Wors, Charette

ANTEGOA.

The Deposition of John Roach, of the Hland Aforesaid, Merchant, taken before the Hon. Edward Byam, and the Worshipful Nath. Crump, Esqs; Justices of the Peace for the said Mand, the 3d Day of July 1710.

HE Deponent being fworn, declares. That the last War and this. before the Arrival of Daniel Parke, Efg; our present General, he has been Ownerof a Privateer; and that he always allow'd the Tenths to the Vice-Admiral: and, upon General Parke's Arrival, he apply'd himself to him for a Commission for one Joseph Hall, which he readily granted, without making any Bargain with him or Hall; but the General letting him have some Guns, this Deponent faith,

faith, it was agreed among themselves. to give the General what formerly had been demanded from us: But this Deponent also saith, That the General has never taken any Thing for Prizes taken fince the Act of Parliament for encouraging Privateers, took Place, to the Deponent's Knowledge: And farther faith, That Edward Perry, the Commissioner of the Customs here, would have had him (this Deponent) to have fworn, That the General had taken the Tenths fince the Act took Place; faying, It would make a very good Article against bim: Upon which this Deponent ask'd the said Perry, When the faid Act took Place? He faid, The 10th of March; whereupon this Deponent reply'd, There had been no Prize taken since the Beginning of February. The faid Perry then faid, 'Tis no Matter for that, if you'll swear: And farther the said Deponent faith not.

Sworn before us, (Mr. John Roach. Nevin, and several of the Complainants being present)

Edward Byam, Nath. Crump.

ANTEGOA.

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The Deposition of Thomas Morris, Esq; taken before the Honourable Col. Edward Byam, and the Worshipful Nath. Crump, Esqs; Justices of the Peace for the Island aforesaid, on the 23d of June 1710.

Homas Morris, of the Island aforefaid, deposeth and saith, That on Saturday the 18th Day of September 1708, he din'd at the House of Mr. John Haddon, with the General, Col. Parke, Capt. Thomas Newell, Maj. Samuel Wickham, and some others, where this Deponent heard the General say, There had been some Disorder the Night before, in the Town of St. John's, and that he had order'd all the Constables in the said Town to be ready against that Night, in order to prevent the like; for that there were to be a great Number of Gentlemen, and others, at the House of Mr. Edward Chefter, Sen. that Day, to dine; and that he was in Fear, some Disorder or Mischief would happen that Night; for which Reason, he the said General said, be would go Home Early. And accordingly, about the Hour of Six, or thereabouts, he call'd for his Horse; as also did this Deponent, Capt. Tho. Newell, Maj. Sam. Wickham, Mr. John Bermingham, and Maj.

Maj. Tho. Long, who waited on the General to the Town of St. Fobn's. And this Deponent farther faith, That when they came to the North-East Corner of the Market-Place, the General faid, He would Alight, and take a Walk into the Town, or Words to that Effect; which he accordingly did, accompany'd with this Deponent, and the Gentlemen aforefaid. This Deponent also saith, That as foon as the General came near the lower End of the Market, over against the House of Mr. Edward Chefter, Sen. before-mention'd, wherein there were a great Number of Gentlemen and others affembled. and (as he supposeth) were Drinking. They (the Said Company) fet up a loud tumultuous Noife, which continu'd 'till the General was gone past the faid House, and then the faidCompany feem' dito be silent again. The Deponent farther faith, That the General (taking no Notice of what had pass'd) walk'd to the Coffee-house, where he fat down before the Door; but this Deponent, together with the Gentlemen before-mention'd, went with the aforefaid Capt. Nervell, to his House, in order to drink a Glass of Wine; but before we had scarce drank one Bottle, the General fent for us to the Coffee house where he was; on which we broke up, and waited

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on him: This Deponent also saith, That when he came to the Coffee-house, he obferv'd Mr. Edward Chester, Sen. Mr. Edward Chester, Jun. Joseph Adams, and fome others, standing at the lower End of the said Coffee-house, who seem'd to be angry, that they had not Tea or Coffee; and soon after, Mr. Bastian Otto-Byar came; and the General spoke to him, for being concern'd in some Disturbance the Night before, and advis'd him to take Care, not to do the like again; and likewise to take some Care of a Bastard-Child which he (the (aid Bastian Otto-Byar) bad got; and the Mother had been to complain about; farther telling the said Otto, That if ever be did the like, be would make him (the faid Otto) stand in a White Sheet. After which, the faid Otto, and others, left the Coffee-House; and the General, with this Deponent, and the Gentlemen that came from Capt. Newell's, return'd thither again, and fat down there 'till after the Tattoo had beat; then the General taking out his Watch, said, 'Tis nine of Clock, and 'tis Time to go Home; but faid, be would take a Turn down Street, or Words to that Purpose; and told this Deponent and Maj. Samuel Wickham, that fince they were refolv'd not to lye in Town, they should go no farther with him, but go Home; upon which the General went down THE

down Street, attended by Capt. Newell and Mr. Bermingbam: The Deponent farther faith, That his Horse being at the House of Mr. Caleb Lasher, he desir'd Maj. Wickham to walk with him thither to take Horse; and as they were going, he (this Deponent) told the faid Major Wickbam, that he much fear'd some Mischief would attend the General, that Night; for that he did not like the breaking up of the Company at Mr. Chefter's, and their following the General to the Coffee-house: Upon which this Depo-nent and the said Wickham resolv'd to fee the General Home, if they could meet with him. And the Deponent farther faith, That as he and Major Wickham came into the Market-place, in their Way to the House of Caleb Lasher, aforesaid, they heard some People very loud, to-wards the House of Mr. Edward Chester, Sen. upon which they made the best of their Way thither; where they found the General, Capt. Newell, Mr. Bermingbam, and many others, standing in the Street; and he (this Deponent) observ'd the Company that was then in Mr. Chester's House, were again making a tumultuous Noise, as before: This Deponent also faith, That at his (the faid Deponent's) coming towards the faid Chefter's House, he heard the General fay, Was any Man thus

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thus treated ! This is not to be bore with! or Words to that Effect, and alk'd, Where were the Constables? At which Time one appearing, the General sent him in to those Gentlemen, and others in the said Chester's House, with Orders for them to be quiet, or to disperse, and go to their respective Homes: Which the Constable did accordingly, and foon return'd to the General with their Answer. The General thereupon sent other Constables, who came in the Interim; and they likewife foon return'd, with the Company's Answer: The General then sent in the Provost-Marshal; and presently after, seeing this Deponent stand by, be order'd bim (this Deponent) to go in, and desire the said Company to be quiet, or disperse; which the faid Deponent did accordingly. And as he enter'd the House, he found Mr. Edward Chester, Sen. standing at the Door, and Maj. Fohn Tomlinson, Bastian Otto-Byar, Charles Callaghan, Joseph Adams, William Hamilton, James Read, John Sweetenham, Edward Chester, Jun. Mr. Saunders, Peter Schureman, a Taylor, and some others, sitting at a Table in an Inner-Room, drinking; to which Company, he (this Deponent) deliver'd the General's Orders as follows, viz. Gentlemen, 'Tis the General's Orders, that you be quiet, or disperse, and go to your respective Homes. At which, foseph Adams.

Adams, and many others, answering him rudely, he (this Deponent) then reply'd, 'Tis the General's Command; (and as I am oblig'd by Oath) if you will neither be quiet nor disperse, that I hind you al! over to the Sessions. At which Peter Schureman, the Taylor, reply'd, God damn you for a Villain, you dare not do it; and the faid Company in general, express'd themfelves very unhandsomly to the said Deponent. And as he was coming out of Doors to acquaint the General therewith, Mr. William Hamilton call'd him (the Deponent) Son of a Whore, and fwore be would cut the Deponent's Throat; bidding him tell the General fo. This Deponent farther faith, That as foon as he return'd with their Answer to the General, he order'd him (this Deponent) to go back again, and take an Account of their Names, fending after him, Pen, Ink, and Paper, by Maj. Wickham; for that there was none to be had in Mr. Chester's House: And the faid Deponent saith, That as foon as he began to write, Mr. Chester, Sen. pull'd the Chair from under him; telling him, he should not write in his House; and then took away the Candle, which this Deponent foon recover'd again, but had scarce taken three of their Names, when he (the faid Deponent) heard all, or some of the faid Com-

Company, cry, (One and all.) And at the fame Time, all the Windows and Doors were shut up. And this Deponent also faith, That then being apprehensive of what he was before threaten'd with, drew his Sword, and ran to one of the Windows, which with much Difficulty he forc'd open, and call'd out to the General for Relief, or he should be murther'd: But as this Deponent ran to the Window, he faith, he faw Mr. Bastian Otto-Byar's Sword drawn; and, to the best of his Thought, two or three more in the Inner-Room: This Deponent also saith, That upon his calling for Relief, the General ran to the Door, as did many others; and one of the Constables jump'd out of the Window which this Deponent had forc'd open: The Deponent farther faith, That upon the General's coming in at the Door, whether by breaking it open, or whether the Marshal, who was then shut up with him, (this Deponent) had open'd the Door, this Deponent can't tell ; but faith, he heard the General fay, Was ever the like known? To have the Queen's Justices confin'd! or Words to that Effect. And the faid Deponent faith, That in a little While after, Tho. Gateward, Esq; one of her Majesty's Justices, came in, and made Proclamation for that Company to disperse; Cc3

for that they were an unlawful Assembly; or Words to that Purpose, on which many left the Place, some left the Room, behaving themselves very civil; and others still remain'd, and were very rude, both to the faid Mr. Gateward and this Deponent, who farther fays, That as he was writing at the Table, one of the Company threw a Tobacco-Pipe at him, (this Deponent) as he believes, which ftruck the Candlestick, and broke; and, to prevent farther Mischief, he (this Deponent) and the aforefaid Mr. Gateward, committed several of them to Goal; and the Marshal being then present, disarm'd them, and then the Tumult began to cease: And this Deponent saith, That being there disturb'd from Writing, he went with the faid Gateward into the Town, to consider of a Record of the Riot. And farther the faid Deponent faith not.

Sworn before us, (Mr. Nevin and several of the Complainants being present)

Tho. Morris.

Edw. Byam, Nath. Crump,

Lieut.

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Lieut. Col. Thomas Newell made a long Affidavit, to the same Purpose, saying, That when the General was passing by Mr. Chefter's House, the Company therein, in an affronting Manner, began to fing and huzza, tho' they were very filent before: And some of 'em thrust half their Bodies out of the Windows, and wav'd their Hats fo infultingly, that he and the other Gentlemen, with the General, admir'd at his Patience, having taken no Notice of it; and when he got to the Coffee-house, and fat down at the Door, several of them came thither, and walk'd by him in Parties; among the rest Capt. Bastian Otto-Byar, to whom the General spoke as follows: Sir, I bear, that last Night you committed a Riot with forty or fifty Negroes at your Back; and that a great many of this Gang and you, were rioting all Night in the Streets, threatning what you would do to all that were not of your Party. I therefore advise you for the future, to have nothing to do with such riotous Assemblies; for I am resolv'd to keep the Peace, and prevent all fuch Doings: To which Mr. Otto made fome flight Answer, and return'd to Che-ster's, from whence he came. The General fome Time after, passing by the same House, they again began their Rudeness, calling for a Fiddle, singing aloud, and their Bodies half out at the Window, Cc 4

shook their Hats at him: He thereupon faid, This is not to be born with, and fent for the Constables, whom he fent in to disperse them; as he afterwards did Col. Morris, one of the Council, Major Wickbam, and the Marshal, but to no Purpose; for the Rioters within Doors, instead of breaking up, according to their Duty, confin'd them all; and threaten'd to murder them; on which the General faid, What! have they imprison'd all the Constables, the Marshal and his Man, a Counsellor and a Justice of the Peace? Since the Civil Power is imprison'd, 'tis Time to fend for the Military: And then fent for the Guard, which being come, the Doors were open'd, and fuch as refus'd to disperse, and go to their respective Habitations, were by the Justices committed, and fent to Goal.

This was sworn, (as all the rest) before Col. Byam and Mr. Crump Mr. Nevine, and severalComplainants being present.

Tho. Newell.

Col. Tho. Long, and Mr. Michael Ayon, fwear to the same Purpose; as do a great many more of undoubted Veracity, whose Depositions, for the Lengths of them, are here omitted.

ANTEGOA.

ANTEGOA.

The Deposition of Gousse Bonnin, of the Island aforesaid, Surgeon, taken before the Hon. Col. Edward Byam, and the Worshipful Nath. Crump, Esqs, Justices of the Peace for the said Island, on Wednesday the 28th Day of June 1710.

HIS Deponent, being duly fworn on the Holy Evangelists, deposeth and faith, That on Saturday the 18th Day of September, 1708, being the Night feveral Gentlemen were committed for a Riot in the Town of St. John's, he was about the Hours of seven and eight of Clock, at the House of Mr. Denbow, Tavernkeeper; and Capt. Bastian Otto-Byar and Mr. Peter Schureman, came in there, finging and rejoycing, and call'd for a Pint of Wine: And in the Middle of the Room, before all the People, they drank aloud, to the happy Change of Government; and immediately after, the faid Peter Schureman came to this Deponent, and told him, That if be (the faid Schureman) had consented, there bad been a Change of Government before this Time ; for not long fince there was a Negro-Man, with a Gun ready, that wanted only his Consent, to do the General's Business: But the be had receiv'd some

Sort of Injury by being the General's Neighhour, he was a better Christian than to consent to such an Action. After saying which, he went again to Mr. Otto, and they went together towards Mr. Chester Senior's House; and about an Hour and a Half after, happen'd the Disturbance at the said Mr. Chester's, when this Deponent, going that Way, saw the said Otto and Schureman were committed.

Sworn before us, (Mr. Nevin, and several of the Complainants being present)

Gousse Bonnin.

Edw. Byam, Nath. Crump.

Thomas Gateward, Esq; one of her Majesty's Justices of the Peace, in Answer to several Interrogatories exhibited on Behalf of the Complainants, concerning the Riot at Chester's, deposes, on the Holy Evangelists of Almighty God, That he came to the House of Mr. Edward Chester, Sen. the 18th of September 1708, because he was inform'd by the Constables and others, that there were a great Number of People there who had affronted the General, and design'd farther to affront him; and that there would be Mischief done

done that Night, if not prevented: That General Parke left bim there, with Col. Morris and the Marshal, and bid them do their Duties; and nothing else, as he remembers: That after they had committed feveral for a Riot, he went to the General, who was just going to Bed, and told him all was quiet; and that the General gave no Manner of Directions what soever concerning the said Riot. But having been formerly a Clerk to a Justice of Peace in England, he knew the Practice there; and having confulted the Queen's Attorney-General and the Queen's Council, upon their Advice, and the Authority of an Act of Parliament, of the 13th of Hen. 4, and Dalton's Justice of the Peace, which he shew'd Col. Morris, and Mr. Ayon the Provost-Marshal, he found it a Riot in View, and made a Record accordingly: That the General knew nothing of the said Record from him, (the faid Gateward) or any other, to his Knowledge, 'till after it was made: That Col. Morris carry'd it to bim: That Samuel Walker, Constable, told him the faid Gateward, with great Concern, after the Riot was committed, that he (the faid Gateward) had ruin'd him, by fending him to Mr. Chester's, at that Time, to keep the Peace; for that the Gentlemen complaining against the General, had threaten'd to arrest him; and conconcluded, saying, He would at as Constable no longer, let what would come of it; or Words to that Purpose: And that he did not tell the said Walker, that the General would not call a Sessions, because he could not find a Jury to fine the said Rioters, the said Gateward presuming to know better; and that such a Record of a Riot was not to be try'd by a Jury, but if Errors were assign'd, they were to be try'd by the Justices.

Sworn before us, (Mr. Nevin, and several of the Complainants being present)

Tho. Gateward.

Edw. Byam, Nath. Crump.

ANTEGOA.

The Deposition of Joseph French, Esq; Treasurer, taken before the Honourable Edward Byam, and the Worshipful Nath. Crump, Esqs; Justices of the Peace for the said Island, on Tuesday the 5th of August 1710.

W HO, being fworn on the Holy Evangelists, saith, That he being in Company with the Rev. James Field, Minister of St. John's Parish, at the House of

of Mr. Caleb Lasber, some Time before his going to England; at which Time entering into Discourse with the said Field about the Difference that had happen'd between his Excellency General Parke and Mr. Barry Tankard, the faid Field faid, That the faid Tankard was a felf-conceited proud Fellow, or fuch like Words; and that he did purposely to affront the General. (meaning his standing in the Street, and not pulling off his Hat, or shewing any Respect to the General as he pass'd by) For, faid he, he and I were standing together, upon or near Mr. Denbow's Bridge, when we faw the General coming towards us from Mr. Lasher's: I spoke to him, and faid, Let us range our selves, and receive bim respectfully, as he goes by. He anfwer'd, He would not, for he ow'd him none; nor would be shew it; and accordingly drew off, towards Mr. Pawly's House, and stood; and as the General pass'd by, he cock'd up his Hat, and behav'd himself very unmannerly; or Words to that Effect.

Sworn before us, the Day and Year above-written, Fos. French.

Edw. Byam, Nath. Crump.

ANTEGOA.

ANTEGOAL

of Mr. Cake Eather Ko

The Deposition of Edward Morgan and William Flaxen, Gentlemen, taken before the Hon. Col. Edward Byam, and the Worshipful Nathaniel Crump, Esqs, Justices of the Peace for the Said Island, on the 28th Day of June, 1710.

HE faid Deponents being feverally fworn, depose, That on the 9th of March 1708-9, about the Hour of ten in the Morning, they being at the House of Col. Thomas Long, they faw feveral Perfons (to the Number of Nine, viz. Col. Samuel Wattkins, Bastian Otto-Byar, Bablist Looby, Capt. John Painter, Barry Tankard, and others, whose Names, they fay, they cannot at present call to Mind) come up to the House of the faid Col. Long; and the faid Barry Tankard faid to these Deponents the following Words, viz. When you fee the General, tell him, he is a base Fellow, and no Man: That if he was, be would have seen a Gentleman last Night, when he challeng'd him to his Face. And then they rode away. And the Deponents fay, That at the fame Time they faw about feven Persons more in the Broad Path; among whom was Dr. Daniel Mac Kennen, NICCOM

Kennen, and John Barns, all mounted, and feveral arm'd with Swords and Piftols.

Sworn before us, (Mr. Nevin, and several of the Complainants being present)

Edw. Morgan, Will Flaxen.

Edward Byam, Nath. Crump.

ANTEGOA.

The Deposition of Michael Ayon, Esq; Provost-Marshal of the said Island, taken before the Hon. Edward Byam, and the Worshipful Nathaniel Crump, Esqs; Justices of the Peace for the Island aforesaid, the 27th Day of July 1710.

THE Deponent, being duly sworn on the Holy Evangelists of Almighty God, declares, That on the 9th Day of March 1708-9, he went to the House of Edward Perry, Esq; her Majesty's Commissioner of the Customs for this Island, in order to apprehend one Barry Tankard, of the said Island, for a Missemeanor committed by him; he (this Deponent) having a Warrant directed to him for that Purpose. As soon as the said Tankard

Tankard saw this Deponent, be immediately drew his Sword, and flood upon his Guard. The Deponent told him, he was his Prifoner, and that he had a Warrant against him . Col. Samuel Wattkins, one of the Company then with the faid Tankard. took the Warrant to read; and the aforefaid Mr. Perry, in the mean While, open'd a Door, at which the faid Tankard enter'd; and the faid Perry shut and lock'd the same, putting the Key into his Pocket: And there being at that Time with the faid Tankard about twenty People, and the Deponent seeing several Cases of Pistols lying by them, he return'd, without taking the faid Tankard: And going up towards his Excellency Daniel Parke's House, in Company with Ensign Fobn Osbourn, he (the faid Deponent) met Mr. Edward Warner, coming down from thence, who had been then carrying a Challenge to his Excellency from the Said Tankard, as the General inform'd this Deponent; who farther fays, That some small Time afterwards, he (the faid Deponent) went to the Plantation of the faid Tankard, with the Chief Justice's Warrant, in order to apprehend him. And calling at his Sugar-Works, to fee if he was there, His Brother came out, and seeing this Deponent, he order'd a Negro to blow at Congshell; upon which, about the Number of
twenty Negroes appear'd immediately in Arms;
four of the lustiest of which being dispatch'd
away upon some Expedition, (the rest remaining under Arms) the Deponent apprehended,
that they were sent to cut him off from the
Path; which prov'd true; for had not the
Deponent rid very hard, they had effected
it; but perceiving they could not, two of
them stood and sir'd their Pieces at the Deponent, and then return'd back, without
gaining the Point they aim'd at.

Sworn before us, (several of the Complainants being present.

Michael Ayon,

Edw. Byam, Nath. Crump.

The General prepar'd fuch Interrogatories for Mr. Warner, as must have forc'd a Confession from him of his carrying him a Challenge from Mr. Tankard, if he had thought sit to answer them; but as he did not, tho' 'tis prov'd he was serv'd with a Copy of them, it may be taken for granted, and therefore they need not be here inserted.

Dd

ANTEGOA

[†] A large Shell, us'd in most Plantations to alarm their Negroes in Cases of Fire, or any other extraordinary Occasion: The same that is shewn at the Museum in Oxford, for Neptune's Trumpet.

ANTEGOA.

The Deposition of Joseph French, Esq, Treafurer of this Island, taken before the Hon. Edward Byam, and the Worshipful Nath. Crump, Esqs, Justices of the Peace for the Said Island, on Friday the 7th of July 1710.

HO, being sworn on the Holy Evangelists, saith, That Daniel Parke, Esq; her Majesty's Chief Gover-nor of the Leeward Caribbee Islands, having shewn this Deponent the Copy of certain Articles exhibited against him, remitted him from England, containing ten in Number; and to which were the Names of fixty one Persons, Inhabitants of this Island : He (this Deponent) doth find, in the latter Part of the 6th Article, these Words: " And in his reproaching the " present Treasurer of this Island, with Ingra-" titude to Col. Johnson, who preserr'd him " to that Office: Withal, telling him, That "it was common for those who were ad-" vanc'd to Places of Profit, to present their " Patrons with half their Gains; and that " he must expect, if he kept his Office, that he the said Chief Governor would not he " ferv'd as Johnson was. To which this Deponent faith, That he (this Deponent)

nent) is the Person mention'd in the said Article, to be reproach'd by the faid Chief Governor, having been long before the exhibiting the faid Articles, Treafurer of this Island, and still continuing fo: And it appearing to him, (this Deponent) that the faid Words do infinuate, that the faid Chief Governor did expect half the Profits this Deponent gain'd by his Office, or at least a considerable Gratuity for his Protection. This Deponent avers on his Oath, That the faid Governor never did require, ask, or demand, by himself, or any other, (as this Deponent knows of) of him this Deponent, any Gift, Present, or Gratuity, whatsoever, for, or upon, any Account whatfoever: And this Deponent also saith, That he, (this Deponent) by himself, or any other Person whatsoever, or by any Way or Manner whatever, directly or indirectly, never did give, or promife, any manner of Gift, Prefent, or Gratuity whatever, to him the faid Chief Governor, or any other Person whatsoever, for him: This Deponent also saith, That he (this Deponent) being inform'd, that feveral Persons were endeavouring, by Way of the Chief Governor, to obtain the Office of Treasurer; he (this Deponent) did thereupon apply himfelf to the faid Chief Governor, for his Friendship therein; Dd 2

to which the faid Chief Governor return'd for an Answer, How could this Deponent expect his Friendship, baving us'd bim so ill fince his coming to the Government; particularly in not providing for him at his first Coming, as he ought to have done; being thereto order'd by the Publick of this Island: As also that he (this Deponent) had been backward and remiss in paying some Orders drawn on him as Treasurer of this Island, payable to him the said Chief Governor: The faid Chief Governor did also at the same Time reproach this Deponent with Ingratitude to Col. Johnson, for protesting a Bill drawn by the said Johnson from Nevis, on him this Deponent; the faid Chief Governor believing this Deponent to have been in his Debt; and at the same Time did farther declare to this Effect: That he would be no Person's Enemy who did behave himself justly in bis Post. This Deponent also faith, That he was advis'd by feveral of his Friends, to make a Present to him the faid Chief Governor, for his Friendship; which this Deponent intended, and had certainly offer'd it, bad be not several Times beard bim declare his Detestation of the same: More particularly, this Deponent well remembers a certain Gentleman of this Island, going with this Deponent to the House of the said Chief Governor.

to beg his Friendship in a certain Matter, wherein the said Gentleman was concerned; the faid Gentleman, or this Deponent for him, did express Words to the said Chief Governor, That for the Friendship of bim the said Chief Governor in that Matter be (the faid Gentleman) would not be ungrateful; to which the faid Chief Governor reply'd, with Anger and Indignation, to this Effect: Ungrateful! What, do you think I am to be brib'd? I shall do Justice to all Men, as well to Enemies as Friends; and when any Cause comes judicially before me, I shall have no Respect to Persons. This Deponent also saith, That he well knows the faid Chief Governor hath declar'd, He wou'd quit his Right and Title to one thoufand Pounds per Ann. given bim by the Publick of this Island, at his first coming to the Government, for Rent of an House, rather than pass certain Laws, and consent to several Matters requir'd of him by the Assembly of this Island: This Deponent having often heard him declare, That the aforesaid annual Gift should not oblige him to do any unjust Action, which he look'd upon the faid Laws and requir'd Concessions to be; being (as he said) not only prejudicial to the Subject, but an Invalion of the Prerogative of the Crown: This Deponent farther faith, That he hath heard the faid Chief Governor declare.

clare. That he would readily pass all Laws that should be made, that were beneficial to the Subject, and not derogatory to the Rights of the Crown; and particularly, That he would freely and voluntarily pass the same Law bere, gratis, which my Lord Vaughan, Governor of Jamaica, receiv'd several thousands of Pounds for, from the Inhabitants of that Island.

Sworn and taken before us, Jos. French. (Mr. Nevin, and several of the Complainants against the General being present)

Edw. Byam, well family beautifully Nath. Crump.

Capt. Philip Walsh's LETTER to Col. Jones. And And Anguisting

SIR, del hamme or ad assessmention

TOU having been pleas'd to figni-Y fy to me, by your Order dated the 24th of June 1710, That feveral 'Complaints had been made to you of ' high Outrages and Insults committed by me, on the Persons of several People; and that you had appointed Wednesday the

On.

the 5th of July, to enquire into the Truth of the fame, at the House of one Denbow, 'a Tavern-keeper: I accordingly attended at the Time and Place, with an ear-' nest Defire to hear the Charge against me, that I might clear my Reputation from the Scandals I lay under: But there I met with only a verbal Message; ' that you had put off the hearing the faid ' Matters' till Friday following; on which Day I apply'd my felf to his Excellency 'General Parke, and set forth to him, ' that several Depositions, complaining of 'me, had been already taken in the pub-' lick Court-House before the Justices, by the Complainants against himself, and ' therefore desir'd him to direct, that the Hearing relating to me and the other 'Officers complain'd against, might be in ' the faid Court-House publick to all the 'Island, that it might more evidently 'appear, whether I was guilty of any 'Thing, and of what; for I thought it more agreeable to natural Justice, (fince the Complaints against me had reach'd the Ears of her Majesty, and were made ' part of the Charge against the General) 'that the fame Place was more proper ' for me to make my Defence in, than a 'Tipling - House, made infamous for 'Healths drank there, allow'd by no 'Civil Government, Dd 4

On which his Excellency was pleasid, with his usual Justice, to grant my Request, which he signify'd to you with the Reasons of it, and order'd the said Hearing to be in the Court-House at the 'Time appointed by you: But you being pleas'd by a Letter to acquaint him, That altho? in all other Things you 'should chearfully obey his Order for her Majesty's Service, in this Affair you would not consider your self under any Restraint, as to any Method of Proceedings he should prescribe: And you ha-' ving acquainted me, that you would proceed on the faid Hearing at the House of one Mr. West, a Shop-keeper in the said 'Town: I attended accordingly, and there, on reading my Lord Sunderland's Letter to you, had the Mortification to find, that as well feveral other Officers as my felf, had the Misfortune to have our Actions misrepresented to her Majesty, whose Commissions we have the Honour to bear, purely (as I imagine) for paying that Obedience to Authority, and Respect to the General, which we are directed to do by our very Commissions: And it is evident, that is the only Cause of Complaint against us; because those Gentlemen who have affociated with you, and others of his Enemies, and who have been at drinking

drinking the horrid Healths sworn against you, † seem to be thereby excus'd from answering for the many

Quarrels they have been instoles A said You'll please to allow me, Sir, to obferve, That my Lord Sunderland's Letter does by no Means give you any Power you had not before; and I humbly conceive that Letter to be occasion'd by his Lordship's being inform'd, you did not punish such Officers and Soldiers funder your Command as you might have done, as Colonel to the Regiment; and which if you did not, is a Misfortune to the Core; in particular to fuch Officers who have in every Thing behav'd themselves as Soldiers, and Men of Honour: For as no one, who has not the Honour to know my Lord Sunderland can have a higher Regard for him than my felf, both as he is distinguish'd by being her Majesty's Principal Secretary of State, and by being fo nearly ally'd to the greatest Captain of the Age; yet, that Regard to him, teaches me to believe, he designs you, Sir, by Virtue of the Letter he wrote to 'you, no other Power over me, or any other Person whatsoever, besides what

[†] By Mr. Duncan Dea, now in the Guards, and several others.

the Civil and Military Laws have in-

vested you with ned and or mod soully · This Observation I am oblig'd to make 'you, Sir, being very credibly inform'd, 'you have refolv'd, before you hear my Defence, to condemn me ; that when 'I appeal to higher Judges, it may ap-' pear from whence you assume such an' 'Authority; and how little, how very 'little Occasion you had for it. I don't ' pretend, Sir, to be without Faults. Young Fellows of my Age, who have

' been always Soldiers, are too inclin'd to

'be warm; and it were well, could we be fo early wife, as to be only fo in the

Field.

'But as that is rather to be wish'd than expected, if I have done nothing against the Laws of Civil Government, or to ' forfeit the Title of a Man of Honour, or any Thing, but what Men of the 'very best Characters, and of more Years 'than my felf, daily do: I flatter my ' felf, I shall not meet with more Severi-'ty, at least, from her Majesty, or her General, than others in my Circum-' stances have been us'd to.

> Here he remarks, and very fully clears himself of some Depositions taken against him, and charg'd to the General; but too long to be here mention'd. And then be adds:

'On this Occasion, I am oblig'd, in ' Justice both to the General and my self, to declare, That as I know when I am ill us'd, I will always refent fuch Usage, tho'all the Generals in the World should ' forbid it: So no one could shew a greater ' Dislike to any Quarrels, than the General always has done; which may be agreeable to his Post, as he is a Civil 'Magistrate in this Government, but canonot believe he would have shewn in any other Capacity: And if I have done any Thing worthy of Punishment, I should never flatter my felf to a Belief he would have forgiven it, or have given any Occasion for your present Examination.

He proceeds to a farther Examination of other Depositions taken against him; which he exposes, as mere Contradictions and Absurdities: And thus concludes.

ger a Defence, but desire, whatsoever you please to determine about it, that you transmit it to my Lord Sunderland, with the Assidavits which I have deliver'd you, whose Numbers are annex'd:

There,

There, I can be apprehensive of no Injustice: And am,

SIR, an another word

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Phil. Walle

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Phil. Walsh.

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ANTEGOA.

Extract of Capt. Philip Walsh's Deposition, before the Honourable Edward Byam, and Nath. Crump, Esqs; Justices of the Peace for the said Island, the 3d Day of July, 1710.

A ND this Deponent farther faith, That whenever any Quarrel has arose, (as too frequently do, the Generality of the People here, not understanding or using good Manners in any tolerable Degree) General Parke has always declar'd his Resentment and Anger against whomsoever he has heard has been in any, and has particularly told this Deponent, that all Quarrels affronted him, as Chief Magistrate; and has also check'd this Deponent several Times for some Quarrels, which (thinking himself in the

the right) he has thought he by no Means deserv'd.

Sworn before us, (Mr. Nevin and several of the Complainants heing present)

Phil. Walfb.

Edw. Byam, Nath. Crump,

Capt. John Bermingham, and Michael Ayon, Esq; swear to the same Purpose.

ANTEGOA.

The Deposition of John Haddon, Esq; Justice of the Peace for the Said Island, taken before the Hon. Edward Byam, and Nath. Crump, Esqs; Justices of the Peace for the Said Island, on Tuesday the 1st Day of August 1710.

THE faid Deponent, being duly sworn, deposeth, That some Time in the Year One thousand seven hundred and Nine, as this Deponent was walking in the Streets of St. John's, just as it was dark, he hearing some Body running after him, turn'd about, and saw one James Parkes of this Island very near this Deponent

nent, with his Sword in his Hand, who bid him (this Deponent) draw; but the faid Deponent knowing no Caufe or Reafon for the fame, ask'd him, Why? But the said Parkes, without any Reply, struck this Deponent several Strokes over the Head, baving stunn'd bim with the first Blow; and afterwards faid to this Deponent, What! you are a fustice, are you? I wish I had an Opportunity, and I would serve him so that made you (meaning his Excellency General Parke.) And he farther added, You must expect such Usage every Time I meet After which the Deponent took out a Warrant against the faid Parkes, which, as he is credibly inform'd, was ferv'd on him; but that he made his Escape, being rescu'd by several Gentlemen Complainants against General Parke: Some of whom were Members of the late Affembly. And the faid Parkes feldom appearing, but arm'd with a Number of his Friends, he was never yet brought to Justice.

Sworn before us, the Day and Year above-written,

John Haddon.

Edw. Byam, Nath. Crump.

ANTEGOA.

nent, with his Sword in his Hand, who

Extract of the Deposition of Michael Ayon, Esq; Provost-Marshal of the said Island, taken before the Hon. Edw. Byam, and the Worshipful Nathaniel Crump, Esqs; Justices of the Peace for the Island aforesaid, the 3d Day of July 1710.

THE faid Deponent, being duly examin'd and fworn, faith, That he had a Warrant directed to him for the apprehending one James Parkes for a Breach of the Peace, bearing Date the 2d Day of May 1709; and some Time after, the faid Parkes coming out of the House of Edward Perry, in Company with Richard Cochran, Samuel Frye, and Samuel Philips, this Deponent came pretty near the faid Parkes, and told him, He bad a Warrant against bim; upon which the aforesaid Cochran drew his Sword, faying, By God, you shall meddle with no Body bere. petted this, which made us come with him. Fry, Phillips, and Parkes drew their Swords at the same Time; and the latter made his Escape: The Deponent farther faith, That upon the faid Company's difperfing, the aforesaid Cochran went to the House of William Martin, (a Tavern) where the Lieutenant-Governor and others.

thers, were fitting; and demanded of the faid Lieutenant-Governor, Justice; by Way of remonstrating their Grievances to the General; withal telling him, That the Island was in a Flame; and that it was come to that Pass, that they must throw away their Scabbards.

Sworn before us, (Mr. Nevin, and several of the Complainants being present)

Michael Ayon:

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Edward Byam, Nath. Crump.

ANTEGOA.

INTERROGATORIES to be exhibited to the Hon. John Yeamans, Esq, Lieutenant-Governor of this Island.

Quest. i. W Hether some Time about the Beginning of June 1704, you was not at the House of Mr. Martin, in the Town of St. John's, when Mr. Richard Cochran and others rescu'd Mr. James Parkes, after the Martial had serv'd his Warrant on him.

Answ. 1. About the Time mention'd in this Interrogatory, I was at the House of Mr. Martin in St. John's, and do remember

ber, that some Person (whose Name I have forgot) told me, That Mr. Richard Cockran, and others, had rescu'd Mr. Parke from the Marshal, who had a Writ to take the said Parke up, for the beating and abusing Mr. Haddon, a Justice of the Peace, and one of the Justices of the Bench.

John Yeamans.

Quest. 2. Whether the said Richard Cochran did not say, in an insulting Manner, (after they had with their Swords drawn rescu'd the said Parkes) that they would sling away their Scabbards, or Words like it, and what were the Words?

Answ. 2. I well remember, that Mr. Rich. Cochran, with others, came to me at the House of Mr. Martin, in St. John's, and told me, the Island was in a Flame, and desir'd me to quench it; or Words to that Effect. I answer'd, If they would let me know who they were that kindled this Flame, I would do my Duty; but knew not what to do, unless they would descend to Particulars; which not being done, there was nothing farther ask'd, only the said Cockran said, in a Sort of a Passion, they must, or would, (I cannot well remember the particular Words) throw away their Scabbards: This was the same Day mention'd in the first Interrogatory.

E e John Yeamans.

The aforegoing Answers to the several Interrogatories, exhibited to the Hon. John Teamans, was, this 3d Day of July, 1710, answer'd to upon Oath, before us, (Mr. Nevine, and several of the Complainants being present)

Edw. Byam, Nath. Crump.

ANTEGOA.

The Deposition of John Wright, of this Island, Gent. being of full Age, taken before his Excellency Daniel Parke, Esq; Chief Governor of the Leeward Islands, Samuel Wattkins, Esq; Chief Justice of this Island, Herbert Pember, Esq; Attorney-General of the same, and Samuel Wickham, Esq; Coroner of this Island of Antegoa, the 23d Day of Sept. 1707.

W HO, being duly examin'd, and fworn on the Holy Evangelists of Almighty God, doth declare, That on Saturday Morning, being the 13th Instant, seeing Mr. Thomas Sawyer look very dull, I ask'd him the Reason: The said Sawyer answer'd, That he had been with Mr. Edward Chester, and was telling him, that he had dealt unkindly by him, in not taking

Promise; and that it was a Trick in him. On which the said Chester hove a Tankard of Punch at him, which struck him on the Head. And the said Sawyer told me, that he had rather his Head was broke or cut; and that he was mightily pain'd with the same; but as to any Fits, I never knew or heard him to have any, from the sirst of my Acquaintance with him to the Day of his Death. And farther saith not.

Jurat Coram nobis, Anno John Wright.

Daniel Parke, Sam. Wattkins, H. Pember, Sam. Wickham.

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th m, ot ng Vera Copia, examinat. per John Booth, Cler' Sec.

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Ec 2 ANTEGOA

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ANTEGOA.

The Deposition of John Booth, of the Island aforesaid, taken before the Honourable Colonel Edward Byam, and the Worshipful Nathaniel Crump, Esqs; Justices of the Peace for the Said Island, on Wednesday the 28th of June 1710.

THE said Deponent, being duly sworn on the Holy Evangelists of Almighty God, deposeth and saith, That the within-written Deposition, with the Original, now remaining in the Secretaries Office of this Island, and finds it to be a true Copy, according to the best of his Knowledge.

Sworn before us, (Mr.
Nevin, and several
of the Complainants
against the General
being present)

John Booth.

Edw. Byam, Nath. Crump.

ANTEGOA.

ANTEGOA.

The Deposition of Caleb Webb, of the Island aforesaid, Silversmith, and Will. Moss of the same Island, Taylor, taken before his Excellency Daniel Parke, Esq; Captain-General and Governor in Chief in and over all her Majesty's Leeward Caribbee Islands in America, the 13th Day of September 1707.

THO, being duly examin'd and fworn on the Holy Evangelists of Almighty God, do declare as follows: First, the faid Caleb Webb doth declare, That Yesterday in the Afternoon, between three and four of the Clock, he came Home to his Lodging at Mr. John Wright's, of the same Island, Gent. where he saw one Mr. Sawyer of Virginia, with his Hair wet; whereupon he ask'd him, What was the Matter? To which Mr. Sawyer anfwer'd, That he had been at Mr. Lasher's; and that Mr. Chester had thrown a Tankard of Punch at him: And farther the faid Caleb Webb doth fay, That this Morning he heard the faid Sawyer fay, His Head did ach, and that he had rather had a Cut than a Bruise: And the faid Webb doth likewise fay, That this Afternoon, about two or three a-Clock, being in Company with the said Sawyer,

Sawyer, and coming to Town from their Lodgings, they met with a small Shower of Rain; and to shelter themselves from it, step'd into the aforesaid Moss's House, where Mr. Sawyer fat down on a Chair, and in a little Time fainted, and fell down; and in a very little Space after dy'd: And the faid Will. Mess doth fay, that (as the faid Caleb Webb hath faid) This afternoon there came into bis. House the aforesaid Mr. Sawyer and Mr. Webb, to shelter themselves from a Shower of Rain, and that while the faid Sawyer was there sitting on the aforesaid Chair, he fainted away, fell down, and in a little Time after dy'd: And farther both these Deponents do say, That they did not perceive when Mr. Sawyer fainted away, that it was of a Convulsion Fit, but that they did see bim foam very much at the Mouth; and that the Blood run both out of bis Mouth and Nose; and the faid Caleb Webb did wipe off the same with the Napkin which he now produceth to his Excellency. and doth still keep. And farther neither of these Deponents do say.



Caleb Webb, Will. Moss.

Sworn

Sworn before me the Day and Year first mention'd, (Edward Byam, Esq., one of the Council, and Samuel Wattkins, Esq., Chief Justice of this Island, being both present at the same Time)

Daniel Parke.

Vera Copia Exam'

The Deposition of John Booth, of the Island aforesaid, taken before the Hon. Col. Edward Byam, and the Worshipful Nathaniel Crump, Esqs; Justices of the Peace for the Said Island, on Wednesday the 23d of June 1710.

THIS Deponent, being duly sworn on the Holy Evangelists of Almighty God, deposeth and faith, That the within Deposition is a true Copy of the Record now in the Secretary's Office of this Island, according to the best of his Knowledge, having carefully examin'd the same with the Original.

Sworn before us, (Mr. Nevin, and several of the Complainants being present)

John Booth.

Edw. Byam, Nath. Crump. Little to the said of the

Having now, I think, fufficiently expos'd this Scene of Iniquity to the View of the World, and, I hope, faid what was needful to convince the Unprejudic'd of the Falsities whereof they might have been preposses'd, I shall here have done with it, unless call'd upon, by any future Objections, to a farther Justification: In fuch Cafe, I must, as the Lawyers do. fave to my felf both now, and at all Times to come, the Benefit and Advantage of Exception; and replying to the many Uncertainties, Insufficiencies. Oc. and, for the present, in Discharge of my Promife, conclude with the following Lift, of as many as I can call to Mind, of the honest Gentlemen of Antegoa, who were Friends to Justice, and as such to Col. Parke; some of whom gave signal Proofs of their Loyalty at the Time of the Defection and Rebellion, and were then intirely in the Interest of the Government.

If I have omitted (as I am apprehensive I must) the Mention of any worthy Perfon here, let him be assured, 'twas thro' Forgetfulness, and to that be it attributed. But if any sickle False-Brother has pass'd in the Crowd, I decline his Thanks, the

the Honour done him being inadvertently, and more than I intended.

The Hon. Lieut. Gen. Will. Mathew, The Hon. John Yeamans, Esq, late Lieutenant-Governor, &c.

Col. John Hamilton, Mr. Thomas Rome, Col. George Gamble, Mr. Timothy St. John, Col. William Byam, Capt. Fohn Haddon, Col. Thomas Morris, Mr. Thomas Turnor. Col. Richard Oliver, Maj. Fames Nisbitt, Col. Francis Rogers, Capt. Edward Taylor, Col. Samuel Parry, Mr. Edward Morgon, Col. Thomas Sawcolt, Mr. John Hoskins, Maj. Samuel Byam, Mr. Samuel Proctor. Mr. Thomas Fackson, Col. Ferem. Blizard, Maj. John Wickham, Mr. Ja. Fayerweather, Capt. James Porter, Mr. Caleb Lasber, Capt. Foseph French, Mr. William Martin, Rich. Buckeridge, Efq; Mr. Cuthbert Black, John Brett, Esq; Mr. Fames Blundell, Capt. Nath. Humphrys Mr. James Ayres, Maj. Isaac Royall, Mr. Col. Mac Mahon, Capt. Christ. Knight, Mr. Giles Blizard, Capt. John Roach, Mr. George Napper, Mr. Anth. Monteyro, Mr. Duncan Dee, Capt. Cafar Rodeney, Mr. Leo. Burroughs, The Reverend Mr. Mr. David Guillen, Frederick Woodside, Mr. 70. Chamberlain, Mr. Dan. Rosengrave, Will. Teamans, Esq; Capt.

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Capt. J. Bermingham, Mr. Fof. Buckthorn, Mr. Luke Wallb. The Rev. Mr. John Mr. John Parry, Buxton, Capt. William Grear, Capt. Robert Weir. Dr. Francis Pouch. Mr. John Wright, Mr. John Reynolds, Dr. Gousse Bonnin, Capt. Henry Beaulieu, Mr. Roger Watt fon, Mr. Jonas Langford, Col. Main Sweet, Mr. Michael Ayon, Maj. Philleman Bird, Capt. Philip Walfb, Mr. Christop. Stoodly, Lieut. Col. Thomas Capt. Abra. Redwood, Newel, Mr. John Barbotain, Maj. Peter Buor, Capt. Thomas Wife, Col. Benj. Forrens, Capt. Richard Alb, Capt. Robert Jackson, Mr. Philip Abraham, Capt. Phil. Everard, Capt. John Roe, Mr. Jonas Langford, Mr. Ezekiel Everift, Mr. Hump. Sheppard, lun. Enf. Charles Lyndon, Mr. Charles Daly, Lieut. Richard Wor- Mr. Benj. Wickham, thington, Mr. Nath. Wickham, Mr. Edward Mann, Mr. Rich. Meynel, Mr. John Greenway, Mr. Anthony Faby, Tho. Gateward, Elg; Capt. Charles Cook, Mr. Richard Fordain, Capt. Will. Franklyn, Mr. John Decofter, Capt. John Hughue, Mr. Henry Norton, Mr. John Smith, Mr. Fames Godsel, Herbert Pember, Elq; Mr. Mark Kirwan, John Brady, Eig; Mr. Matth. Berming- Mr. Daniel Hobart, bam, Capt. Robert Porter. Mr. Robert Foyce, Dr. Folon Vincens, Mr.

Mr. Samuel Hughes, Mr. Hazael Reynolds, Mr. Alex. Callman, Col. Thomas Long, Mr. Rich. Oglethorp, Mr. George Salter, Mr. Dennis Mackle- John Lucas, Efq; Mr. Peter Savoret, more, Mr. Will. Macklemore, Mr. John Brotherson, Mr. Francis Duplessy, Mr. Walter Shelly, Mr. John Blunden, Ju. Mr. Joseph Monteyro, Mr. Nicholas Symon, Capt. John Kenny, Mr. Fames Robinson, Laurence Crabb, Esq; Mr. Hen. Norton, Jun. Mr. Rich. Cary, Mr. Will. Barclay, Sur. Mr. Rich. Sharp, Mr. John Greenway, Mr. Simon Smith.

FINIS.

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ERRATA.

Page 2, line 7, for 1716, read 1706; p. 53, in the Marginal Note, f. Feb. r. December; p. 60, l. 25, f. a few, r. the few; p. 65, l. 18, f. Cockran, r. Cochran; p. 87, Col. 2 in the List of Names, dele Joseph Adams; p. 89, Col. 2, dele John Mobson; p. 98, l. 6, f. ingrateful, r. ungrateful; p. 133, l. 1, f. unjustiable, r. unjustifiable: p. 139, l. 20, f. 1717, r. 1707, ib. l. 23, r. 1707; p. 160, l. 16, f. 1717, r. 1707; p. 164, the last Line, f. of, r. Island; p. 197, in the Marginal Note, dele Mr. p. 249, l. 1, after a, add Member of the Council; p. 256, l. 22, f. you, r. your; p. 259, l. 2, f. their, r. the; ib. l. 4, f. Walch, r. Walso; p. 321, l. 4, add 1708; p. 371, l. 19, f. him, r. them; f. shem, r. the; p. 416, l. 20, f. 1704, r. 1709.

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